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Senate and House Journals of the
47th Legislature

2nd Special Session

SENATE and HOUSE JOURNALS

OF THE

Forty-Seventh Legislature

OF THE

State of Montana

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**Held in Helena, the Seat of Government
Commencing in Second Special Session June 21, 1982
and Ending June 26, 1982**

Jean A. Turnage
President of the Senate

Bob Marks
Speaker of the House

John W. Larson
Secretary of the Senate

Don Byrd
Chief Clerk of the House

Data Entry Clerk
Patricia Small

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SENATE and HOUSE JOURNALS

OF THE

Forty-Seventh Legislature

OF THE

State of Montana

Commencing in Second Special Session

June 21, 1982 and Ending June 26, 1982

Published by
The Montana Legislative Council
Room 138 State Capitol
Helena, Montana 59620

Diana S. Dowling
Executive Director

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Printed by
COLOR WORLD OF MONTANA, INC.
201 E. Mendenhall, Bozeman, MT 59715

SECOND SPECIAL SESSION
TITLE INDEX
SENATE BILLS

Boldface figures refer to roll calls

1 Introduced by Turnage, Stephens, Kolstad, Smith: A bill for an act entitled: "An act to establish a vocational industries program at the Montana state prison that provides formal vocational education, on-the-job training, and work experience for prison inmates; limiting the program to providing services and producing personal property for state agencies, local governments, school districts, and other governmental entities."

Senate Page No. 4, 6, **7, 8, 9, 10, 11, 49, 50,** 56.

House Page No. 15, 16, 36, 38, 44, 45, 46, 47, **60, 61, 62.**

2 Introduced by Boylan, Ellerd, Sales, Elliott, Keyser, Ryan, Tveit, Manley, M. Anderson, Brand, Lee: A bill for an act entitled: "An act to remove the Montana state prison from control of the department of institutions and attach it to the department of administration for administrative purposes only; providing that the warden of the prison is to be appointed by the governor and to report directly to the governor; establishing the powers and duties of the warden; providing for the reallocation of various internal prison functions to the prison from the department of institutions; amending sections 2-18-303, 7-4-2913, 7-6-2427, 18-2-301, 18-4-104, 41-5-206, 44-5-202, 44-5-213, 46-19-303, 46-19-305, 50-3-102, 50-21-103, 53-1-202, 53-1-204, 53-1-206, 53-1-301 through 53-1-304, 53-30-102, 53-30-105 through 53-30-107, 53-30-109 through 53-30-111, 53-30-212, 87-1-226, and 87-1-512, MCA; and providing an effective date."

Senate Page No. 6, **14, 21, 22,** 23, 25, **26.**

3 Introduced by M. Anderson, Ryan, Halligan, Etchart, Van Valkenburg, Keyser, J. O'Hara, Manley, Ochsner: A bill for an act entitled: "An act to provide income tax credits to employers who employ economically disadvantaged ex-convicts; amending section 39-51-307, MCA; and providing an effective date and an applicability date."

Senate Page No. 7, **23.**

4 Introduced by Ryan: A bill for an act entitled: "An act to prohibit judges in justices', city, and municipal courts from using the services of probation and parole officers; amending sections 3-6-103, 3-6-104, 3-10-111, 3-10-303, 3-11-102, 3-11-103, 46-17-301, 46-18-111, 46-18-201, and 46-18-202, MCA; and providing an immediate effective date."

Senate Page No. 7, **36.**

5 Introduced by Van Valkenburg: A bill for an act entitled: "An act to authorize the warden of the Montana state prison to grant a temporary furlough to a prisoner who has been approved for parole on conditions that are difficult to fulfill while incarcerated; amending section 46-23-215, MCA; and providing an immediate effective date."

Senate Page No. 13, 14, **15, 16,** 33, 48, 56.

House Page No. 29, 31, **32, 48,** 51, **52.**

6 Introduced by Van Valkenburg: A bill for an act entitled: "An act to temporarily provide for the early granting of parole by the board of pardons if the population at the Montana state prison exceeds its designed capacity for a period of more than 30 days; amending section 46-23-201, MCA; and providing an effective date and a termination date."

Senate Page No. 13.

SENATE JOINT RESOLUTIONS

Boldface figures refer to roll calls

1 Introduced by Towe, Sivertsen, Ryan, Williams, Huennekens (By request of the Revenue Oversight Committee): A Joint Resolution of the Senate and the House of Representatives of the state of Montana requesting that the legislature convene itself into a concurrent special session to consider the question of liquor prices.

Senate Page No. 13, 14.

HOUSE BILLS

Boldface figures refer to roll calls

1 Introduced by Spilker: A bill for an act entitled: "An act appropriating money for the operation of the special session of the forty-seventh legislature convening on June 21, 1982; and providing an immediate effective date."

House Page No. 7, **9, 10,** 13, 19, 25, 55.

Senate Page No. 6, **7, 8,** 10, 19.

2 Introduced by Moore (By request of the Governor): A bill for an act entitled: "An act to appropriate money to the department of institutions for increased corrections costs for fiscal year 1983; and providing an effective date."

House Page No. 7, 11, **12, 13,** 59, **63, 65,** 71, 72.

Senate Page No. 13, 29, **36, 38, 39, 40,** 54, 57.

3 Introduced by Feda: A bill for an act entitled: "An act to appropriate money for a men's correctional and prison industries facility to be located at Glasgow, Montana; providing that the location of the state prison is at Deer Lodge and Glasgow; amending 53-30-101, MCA; and providing an immediate effective date."

House Page No. 7.

4 Introduced by Ellerd: A bill for an act entitled: "An act directing the legislative council to contract with an independent consultant to prepare an estimate of the costs of renovating the old Montana state prison; requiring the council to submit the report to the 48th legislature; appropriating funds for the project; and providing an immediate effective date."

House Page No. 7, **25.**

5 Introduced by Moore (By request of the Governor): A bill for an act entitled: "An act to appropriate money for prison security improvement projects for the biennium ending June 30, 1983; and providing an immediate effective date."

House Page No. 7, 15, **20, 21, 22, 23,** 59, **64,** 65, 67, 69, **70, 71,** 72.

Senate Page No. 21, 30, **36, 41, 42, 43,** 50, 51, **52, 53,** 54.

6 Introduced by Harper: A bill for an act entitled: "An act to establish a temporary select committee to prepare recommendations for the legislature concerning short- and long-term correctional policies for the state of Montana; appropriating funds for the committee; and providing an immediate effective date and a termination date."

House Page No. 7, **26.**

7 Introduced by Menahan, Brand, R. Manning, Quilici, Kanduch, Harrington, Pavlovich, Haffey, Manley, Lynch (By request of the Governor): A bill for an act entitled: "An act to appropriate money for prison expansion capital improvement projects for the biennium ending June 30, 1983; and providing an immediate effective date."

House Page No. 7, **31, 38.**

8 Introduced by Menahan, Brand, R. Manning, Quilici, Kanduch, D. Brown, McBride, Kessler, Teague, Pavlovich, Harrington, Lynch, Haffey, Manley (By request of the Governor): A bill for an act entitled: "An act to appropriate money for prison kitchen and water system capital improvement projects for the biennium ending June 30, 1983; and providing an immediate effective date."

House Page No. 7, 19, 20, **23, 24,** 59, 71, 72.

Senate Page No. 22, 29, **36, 37, 38, 39, 40.**

9 Introduced by Brand, Ellerd: A bill for an act entitled: "An act to authorize the use of the old Montana state prison; requiring the department of state lands to negotiate for the termination of the lease of the old prison; allowing the warden to determine which prisoners to incarcerate in the old prison; requiring the physical plant to meet certain standards; appropriating money for the renovation of the old prison; and providing an immediate effective date."

House Page No. 9, **26.**

10 Introduced by Bergene, Goodover: A bill for an act entitled: "An act to specifically authorize the department of institutions to establish and maintain community based prerelease centers; amending section 53-1-203, MCA; and providing an immediate effective date."

House Page No. 9, 11, **15,** 16, **17, 18,** 29, **32, 39,** 42, 47, 55, 58, 59, **60,** 62, **63,** 70, 71, 72.

Senate Page No. 13, 14, **15,** 16, **17, 18,** 26, 27, 31, 45, **46, 47, 48,** 49.

11 Introduced by Spilker, Keyser, Moore, Fagg, Marks, Fabrega: A bill for an act entitled: "An act creating a special select committee to prepare recommendations and a plan of action to deal with Montana's correctional problems for the consideration of the 48th legislature; providing for staffing and use of consultants by the committee; appropriating funds for the committee; and providing an immediate effective date and a termination date."

House Page No. 9, 25, 27, 29, 31, **32, 40, 41, 42, 43,** 55, **56, 57,** 71.

Senate Page No. 25, 27, **31, 32, 33, 34.**

12 Introduced by Keyser, Devlin, Matsko, Curtiss: A bill for an act entitled: "An act to appropriate money for the biennium ending June 30, 1983, for construction of security improvement projects, including guard towers and fencing, at the Montana state prison; and providing an immediate effective date."

House Page No. 9, 19.

13 Introduced by Ellerd, Brand, Boylan: A bill for an act entitled: "An act directing the legislative council to contract, within existing appropriations, with an independent consultant to prepare an estimate of the costs of renovating the old Montana state prison; requiring the council to submit the report to the 48th legislature; and providing an immediate effective date."

House Page No. 11, 25, **32, 39,** 42, **43,** 55, 71, 72.

Senate Page No. 25, 26, **33, 34.**

14 Introduced by Moore: A bill for an act entitled: "An act directing the legislative auditor to conduct a review for compliance with state law and appropriations conditions by the department of institutions; and providing an immediate effective date."

House Page No. 11.

15 Introduced by Kitselman: A bill for an act entitled: "An act to require inservice training for correctional personnel at Montana state prison and to require the warden to establish a dress code for correctional personnel."

House Page No. 16.

16 Introduced by Moore: A bill for an act entitled: "An act authorizing the department of institutions to house minimum security agriculturally employed prisoners outside the confines of the prison fence; providing punishment for escape from such confinement; appropriating funds for establishing housing for such inmates; and providing an effective date."

House Page No. 16, 25, **32,** 35, **47, 51,** 60, **64, 65,** 71, 72.

Senate Page No. 31, 35, **36, 41, 42,** 54.

17 Introduced by Winslow, Iverson, Burnett, Kolstad, Keyser, Fabrega, Holliday, Fagg, Ramirez, Stobie, J. Ryan, Conroy, Asay, Roush, Underdal, Vinger : A bill for an act entitled: "An act providing for the use of inmate labor in the maintenance and repair of state institutions; providing that such inmates are not employees for purposes of employee rights; preventing future public employee collective bargaining agreements from prohibiting such use of inmate labor; and providing an immediate effective date."

House Page No. 16, 35, 38, 47, **49, 50,** 51, **53,** 56, 59, 71, 72.

Senate Page No. 31, 35, **36,** 41, **43, 44, 45.**

18 Introduced by Keedy, Anderson, Vincent, Donaldson, Metcalf, Fabrega, Gould, Hemstad, Harper, Dussault, Bardanouve, Kessler, Ramirez: A bill for an act entitled: "An act to amend House Bill No. 500, Laws of 1981, as amended by House Bill No. 2, Laws of 1981, first special session, for fiscal year 1983 to increase the appropriation to the department of institutions for the purpose of adding remedial teaching staff to the academic program at Montana state prison; and providing an effective date."

House Page No. 16, 19, **35,** 38, 47, **50,** 51, **53,** 59, 71, 72.

Senate Page No. 31, **35, 36, 37, 38, 39, 40.**

19 Introduced by Eudaily, Marks, Keedy, Anderson: A bill for an act entitled: "An act to appropriate money to the office of the superintendent of public instruction to design a comprehensive education program for the Montana state prison; and providing an effective date."

House Page No. 16, 19, 31, **32,** 35, **48,** 51, **52,** 60.

Senate Page No. 31, 35.

20 Introduced by Keedy, Bergene, Anderson, Hemstad, Fabrega, Metcalf, Donaldson, Dussault, Quilici, Ramirez, Harper, Vincent, Gould: A bill for an act entitled: "An act to amend House Bill No. 500, Laws of 1981, as amended by House Bill No. 2, Laws of 1981, first special session, for fiscal year 1983 to increase the appropriation to the department of institutions for the purposes of adding staff and providing facilities for the inmate treatment programs conducted at the Montana state prison; and providing an effective date."

House Page No. 20, **58, 62, 66, 67, 68,** 69, 71.

Senate Page No. 50, 51, **54.**

21 Introduced by Stephens, Stimatz, Jacobson, Lee, Marks: A bill for an act entitled: "An act to create a select legislative committee to address conditions and problems within the state's adult corrections programs for further consideration by the 48th legislature; appropriating funds for the committee; and providing an immediate effective date."

House Page No. 20.

22 Introduced by Keedy, D. Brown, Fabrega, Gould: A bill for an act entitled: "An act to transfer control of the Montana state prison, the Swan River youth forest camp, the pine hills school, the mountain view school, and the functions of the division of corrections from the department of institutions to a corrections commission; to establish a corrections commission; providing the commission with an executive director; providing for an appropriation; amending sections 2-15-2302, 2-18-103, 7-4-2913, 7-6-2427, 18-2-301, 18-4-104, 20-7-404, 20-9-304, 41-5-103, 41-5-206, 41-5-523, 41-5-902, 44-5-202, 44-5-213, 46-18-203, 46-19-303, 46-19-305, 46-23-103, 46-23-401, 46-23-1001, 50-3-102, 50-21-103, 53-1-101, 53-1-202, 53-1-204, 53-1-206, 53-1-301 through 53-1-304, and 53-30-105, MCA; and repealing section 53-30-201, MCA."

House Page No. 20.

23 Introduced by Towe, Eck, Harper: A bill for an act entitled: "An act to appropriate money to the department of institutions for purposes of contracting with private entities for the establishment and operation of three prerelease centers; and providing an immediate effective date."

House Page No. 38.

24 Introduced by Towe, Ryan, Eck, Van Valkenburg, Harper: A bill for an act entitled: "An act to amend House Bill No. 500, Laws of 1981, as amended by House Bill No. 2, Laws of 1981, first special session, to increase the appropriation for fiscal year 1983 to the department of institutions to double the appropriation for adult probation and parole field personnel and services; and providing an effective date."

House Page No. 38.

25 Introduced by Towe, Van Valkenburg, Eck, Feda, Harper: A bill for an act entitled: "An act to appropriate money for a men's prerelease center to be operated by the department of institutions and to be located at the valley industrial park facility in Glasgow, Montana; and providing an immediate effective date."

House Page No. 38.

HOUSE JOINT RESOLUTIONS

Boldface figures refer to roll calls

1 Introduced by Asay, Sivertsen, Manley, Ryan, Boylan: A Joint Resolution of the Senate and the House of Representatives of the state of Montana to provide a statement of encouragement and support for administration efforts to aggressively promote innovative prison enterprises allowing prisoners to earn money for restitution purposes as well as gain work experience and to encourage Montana judges to make use of restitution in sentencing.

House Page No. 9.

2 Introduced by Bergene, Goodover: A Joint Resolution of the Senate and the House of Representatives of the state of Montana urging the department of institutions to locate a prerelease center in Great Falls, Montana.

House Page No. 9.

3 Introduced by Quilici, Fabrega, Stephens, Stimatz, Lynch: A Joint Resolution of the Senate and the House of Representatives of the state of Montana urging the department of institutions with the department of administration to carefully review the employment classifications, positions, and grades of corrections personnel at the Montana state prison to establish equity among positions, to enhance career opportunities, and to further the recruitment and retention of superior personnel.

House Page No. 9, 29, 35, 38, **49,** 51, **52,** 59, 71.

Senate Page No. 31, **37, 41, 42, 43.**

4 Introduced by Gould, J. O'Hara, Keyser: A Joint Resolution of the Senate and the House of Representatives of the state of Montana urging that no changes be made in 20.25.401(8), Administrative Rules of Montana, requiring annual parole reviews.

House Page No. 11, 20, 25, **32, 39, 42.**

Senate Page No. 25.

SENATE JOURNAL

OF THE

Second Special Session of the Forty-seventh Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
June 21, 1982

Senate Chambers
Capitol Building

Senate reconvened at 10:00 a.m., President Turnage presiding.

ADJOURNMENT

Upon motion of Senator Stephens, duly carried, the Senate adjourned Special Session I sine die at 10:02 a.m. Senators Ryan and Towe voted nay.

OPENING
SPECIAL SESSION II

Senate convened at 10:02 a.m., President Turnage presiding.

Secretary Larson read the Governor's Proclamation.

STATE OF MONTANA
OFFICE OF THE GOVERNOR
PROCLAMATION

Call to the 47th Legislature
for a Special Session

WHEREAS, Article V, Section 6, of the Constitution of the State of Montana provides that the legislature may be convened in special sessions by the Governor; and

WHEREAS, Article VI, Section 11, of the Constitution of the State of Montana also provides that whenever the Governor considers it is in the public interest, he may convene the legislature; and

WHEREAS, inmate population at Montana State Prison is in excess of levels determined to be commensurate with sound prison policy; and

WHEREAS, overcrowding was a factor in the March 24, 1982, disturbance at Montana State Prison; and

WHEREAS, several proposals have been developed by the Executive Branch to reduce inmate population at Montana State Prison and enhance security at that institution; and

WHEREAS, it is necessary that a decision be made by the legislature as to the most appropriate proposal; and

WHEREAS, these proposals require the expenditure of general fund monies in excess of appropriated levels; and

WHEREAS, a special session to consider these matters is in the public interest of all Montanans.

NOW, THEREFORE I, TED SCHWINDEN, Governor of the State of Montana, pursuant to the authority vested in me by the Constitution of the State of Montana, do hereby convene the 47th Legislature in special session in the Capitol, in Helena, at the hour of 10:00 a.m., the 21st day of June, 1982, and hereby direct the special session of the 47th Legislature to consider the following subjects:

1. Conditions and problems existing at Montana State Prison and within the state's adult corrections programs, and the resolution thereof;

2. Amendments, repealers, new sections to existing statutes or new acts, so that the problems existing in Montana State Prison and within the state's adult corrections programs may be resolved; and

3. Appropriations to state agencies and programs necessary to alleviate and adequately address the problems and conditions existing in Montana State Prison and within the state's adult corrections programs.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the GREAT SEAL
OF THE STATE OF MONTANA to be affixed.
DONE at the City of Helena, the Capital,
this 24th day of May, in the
year of our LORD, one thousand nine
hundred and eighty-two.

TED SCHWINDEN, Governor

Attest:

JIM WALTERMIRE, Secretary of State

With members of the Montana National Guard participating, the posting of the colors and the pledge of allegiance followed. Reverend Lokensgard gave the invocation.

Roll call. All members present. Quorum present.

Chief Justice Frank Haswell was escorted into the Senate chambers to administer the following oath to J. D. Lynch, a new member of the Senate:

I, J. D. Lynch, do solemnly swear that I will support, protect and defend the constitution of the United States, and the constitution of the state of Montana, and that I will discharge the duties of my office as Senator with fidelity so help me God.

Thereupon, Senator Lynch, having presented his letter of appointment, subscribed to the oath.

MOTIONS

Senator Stephens moved, duly carried, that the officers, organization, rules, joint rules, order of business and all standing committees of the Forty-seventh Legislative Assembly be made the officers, organization, rules, joint rules, order of business and all standing committees of the Special Session II of the Forty-seventh Legislative Assembly, with the exception of joint rules 6-7 and 6-19.

Senator Stephens moved, duly carried, that the President appoint a select committee of three to notify His Excellency, the Governor, that the Senate had adjourned Special Session I sine die, was organized for Special Session II and ready to receive any messages he wished to deliver.

The President appointed the following committee:

Senator Smith, Chairman
Senator Hammond
Senator Manning

Senator Stephens moved, duly carried, that the President appoint a select committee of three to notify the Chief Justice and associate members of the Supreme Court that the Senate had adjourned Special Session I sine die, was organized for Special Session II and ready for the transaction of business and to invite the Chief Justice and associate members of

the Supreme Court to attend a joint session of the Senate and the House of Representatives at a time to be designated.

The President appointed the following committee:

Senator McCallum, Chairman
Senator Anderson
Senator Mazurek

Senator Stephens moved, duly carried, that the President appoint a committee of three to notify the Honorable House of Representatives that the Senate had adjourned Special Session I sine die, was organized for Special Session II and ready for business, and that the Senate wished them success in their deliberations.

The President appointed the following committee:

Senator Hazelbaker, Chairman
Senator O'Hara
Senator Norman

Senator Stephens moved, duly carried, that the Senate stand in recess at 10:18 a.m., subject to the call of the Chair, and await the reports of the select committees.

Senate resumed at the hour of 10:21 a.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Sergeant-at-Arms announced that a committee from the Honorable House of Representatives was waiting. They were admitted to the well of the Senate and informed them that the House of Representatives was organized and ready for the transaction of business.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The select committee of three to notify the Supreme Court was admitted and made its report, stating the Supreme Court wished the Senate Godspeed and much luck in the Special Session.

The select committee of three to notify the Governor returned and made its report. The President thanked the committees and discharged them.

The select committee to notify the Honorable House of Representatives was admitted, and Chairman Hazelbaker reported that the Speaker of the House wished the Senate success in their deliberations and expressed a willingness to meet with them at any time. They were thanked by the President and discharged.

MOTIONS

Senator Stephens moved, duly carried, that the accredited members of the press, radio and television be granted the privilege of the Senate floor subject to the rules.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

JOINT RULES (Stephens, Chairman):

That Special Session I adjourn sine die.

That the deadline for bill drafting would be Tuesday noon, June 22, 1982.

Do pass. Report adopted.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 1, introduced by Turnage, Stephens, Kolstad, Smith. Referred to Committee on Business and Industry.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved, duly carried, that the roll call be dispensed with at the joint session with the House of Representatives.

Senator Stephens moved, duly carried, that the President be empowered to appoint a committee of two to serve with a like committee from the House to escort His Excellency, the Governor, to the joint session at 11 a.m. this day.

The President appointed the following committee:

Senator Kolstad
Senator Blaylock

Senator Stephens moved, duly carried, that the President be empowered to appoint a committee of three to notify the Honorable House of Representatives that the Senate was ready to meet with them in joint session to receive the Governor's address.

The President appointed the following committee:

Senator Olson
Senator Nelson
Senator Conover

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The Sergeant-at-Arms announced that the committee assigned to notify the House of Representatives was waiting. They were admitted and made their report that the House was ready to meet with them.

MOTIONS

Senator Stephens moved, duly carried, that the Senate recess and proceed to the House of Representatives for the purpose of receiving the Governor's address, and further that the Senate reconvene upon completion of that message.

The Senate recessed at 10:35 a.m. and reconvened at 11:03 a.m.

Upon motion of Senator Stephens, duly carried, the Senate adjourned at 11:10 a.m. until Tuesday, June 22, at the hour of 10:00 a.m.

JEAN A. TURNAGE
President of the Senate

JOHN W. LARSON
Secretary of the Senate

SECOND LEGISLATIVE DAY

Helena, Montana
June 22, 1982

Senate Chambers
Capitol Building

Senate convened at 10:00 a.m., President Turnage presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kolstad, McCallum, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the First Legislative Day, find the same to be correct.

O'HARA, Chairman

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Kolstad, Chairman):
Recommend that the following attaches of the Senate be employed as of 8:00 a.m. on Monday, June 21, 1982:

John W. Larson ..... Secretary of the Senate
Harriet Celar ..... Secy. to Secy. of the Senate
Jean Fallan ..... Asst. Secy. of the Senate
Barbara Lester ..... Secy. to Asst. Secy. of the Senate
Rev. Keith Lokensgard ..... Chaplain
Earl Moritz ..... Sergeant-at-Arms
Lowell Purdy ..... Asst. Sergeant-at-Arms
Ralph Erving ..... Asst. Sergeant-at-Arms
Don Valiton ..... Asst. Sergeant-at-Arms
Bill Campbell ..... Doorman
Mildred Weber ..... Secy. to President
Melba 'Mel' McKay ..... Secy. to Majority Leader
Bobbie Murphy ..... Secy. to Minority Leader
Barbara Simic ..... Chief Journal Clerk
Monida Vaughn ..... Business Manager
Mary E. 'Betty' Jakovac ..... Chief Steno
Elaine L. Rung ..... Standing Comm. Secy.
Louise Fulbright ..... Standing Comm. Secy.
Nita Fjeseth ..... Standing Comm. Secy.
Louise Sullivan ..... Standing Comm. Secy.
Sylvia Kinsey ..... Standing Comm. Secy.
Cari K. Christian ..... Standing Comm. Secy.
Tami Van Dorn ..... Page
Rachel Rademacher ..... Page
James J. Shea ..... Page
Carina Gilligan ..... Page
Richard L. Schmidt ..... Page

And that the following attache of the Senate be employed as of 1:00 p.m. on June 21, 1982 also:

Renate K. Ziesing ..... Page

Report adopted.

FIRST READING OF BILLS

The following Senate Bill was introduced, read first time, and referred to committee:

Senate Bill No. 2, introduced by Boylan, Ellerd, Sales, Elliot, Keyser, Ryan, Manley, M. Anderson, Brand, Lee, Tveit. Referred to Committee on Judiciary.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 10:05 a.m. until the hour of 1:30 p.m. this day.

Senator Kolstad present at this time.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Hazelbaker, Chairman):
Senate Bill No. 1, do pass. Report adopted.

The Committee adopted the following Statement of Intent:

Statement of Intent
Senate Bill 1

A statement of intent is required for this bill in that it delegates authority to the department of administration to adopt rules in subsection (7)(a) of section 1. In adopting rules implementing the prison vocational industries program the department should include:

(1) guidelines and procedures for contracting with vocational education entities;

(2) rules governing inmate participation;

(3) rules governing the calculation and payment of inmate wages, including maintaining savings accounts for inmates to be released to them upon release from the institution;

(4) price lists for the cost of products and services;

(5) rules outlining criteria for developing a vocational industry program.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bill was on 6/22/82, passed and transmitted to the Senate for concurrence:

House Bill 1, introduced by Spilker

FIRST READING OF BILLS

The following House Bill was introduced, read first time, and referred to committee:

House Bill No. 1, introduced by Spilker. Referred to Committee on Finance and Claims.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 1:34 p.m. until the hour of 4 p.m. this day.

REPORTS OF STANDING COMMITTEES

BILLS (O'Hara, Chairman):
Correctly printed and placed on the members' desks - Senate Bill No. 1. Report adopted.

FINANCE AND CLAIMS (Himsl, Chairman):
House Bill No. 1, be concurred in. Report adopted.

FIRST READING OF BILLS

The following Senate Bills were introduced, read first time, and referred to committees:

Senate Bill No. 3, introduced by M. Anderson, Ryan, Halligan, Etchart, Van Valkenburg, Keyser, J. O'Hara, Manley, Ochsner. Referred to Committee on Finance and Claims.
Senate Bill No. 4, introduced by Ryan. Referred to Committee on Judiciary.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Bill No. 1 on second reading this day. Motion carried by the following roll call vote:

Ayes: Aklestad, Anderson, Berg, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 45

Noes: None.
Total 0

Excused: McCallum, Wolf.
Total 2

Absent or not voting: Blaylock, Dover, Story.
Total 3

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place Senate Bill No. 1 on second reading this day. Motion carried by the following roll call vote:

Ayes: Aklestad, Anderson, Berg, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: None.
Total 0

Excused: McCallum, Wolf.
Total 2

Absent or not voting: Blaylock, Story.

Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Galt in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 1, Special Session II, third reading copy, be concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: McCallum, Wolf.
Total 2

Absent or not voting: None.
Total 0

That Senate Bill No. 1, Special Session II, be amended as follows:

1. Page 1, line 10.
Following: "ENTITIES"
Insert: ", AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3, line 12.
Following: "services"
Insert: ", with the exception of livestock and agricultural products produced from the Montana State Prison ranch,"

3. Page 5, line 8.
Following: "auditor."
Insert: "Section 2. Immediate Effective Date. This act is effective on passage and approval."

Amendments passed by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: McCallum, Wolf.

Total 2

Absent or not voting: None.
Total 0

That Senate Bill No. 1, Special Session II, be further amended as follows:

1. Page 4, line 8.
Following: "month."
Insert: "notwithstanding the limits contained in 53-30-105,"

2. Page 4, line 13.
Following: "allowance"
Insert: "Provided, however, no inmate may receive good time for participation in this program under any other section or rule which would duplicate the good time authorized herein."

3. Page 5, line 15.
Following: "inmates"
Strike: "shall"
Insert: "may"

Amendments passed by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: McCallum, Wolf.
Total 2

Absent or not voting: None.
Total 0

That Senate Bill No. 1, Special Session II, as amended, do pass by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad Lee, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: Haffey, Lynch.
Total 2

Excused: McCallum, Wolf.
Total 2

Absent or not voting: None.
Total 0

That the Committee rise and report. (Galt, Chairman)

Upon motion of Senator Galt, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Bill No. 1 on third reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Van Valkenburg, Mr. President.
Total 47

Noes: None.
Total 0

Excused: McCallum, Wolf.
Total 2

Absent or not voting: Tveit.
Total 1

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place Senate Bill No. 1 on third reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Van Valkenburg, Mr. President.
Total 47

Noes: None.
Total 0

Excused: McCallum, Wolf.
Total 2

Absent or not voting: Tveit.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 1 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Van Valkenburg, Mr. President.
Total 45

Noes: Boylan, Lee.
Total 2

Excused: McCallum, Wolf.
Total 2

Absent or not voting: Tveit.
Total 1

Senate Bill No. 1 was passed by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Manley, Manning, Mazurek, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 46

Noes: Haffey, Lynch, Ryan.
Total 3

Paired: Wolf, Aye; Ryan, No.

Excused: McCallum.
Total 1

Absent or not voting: None.
Total 0

Upon motion of Senator Stephens, duly carried, the Senate adjourned at 5:11 p.m. until Wednesday, June 23, at the hour of 10:00 a.m.

JEAN A. TURNAGE
President of the Senate

JOHN W. LARSON
Secretary of the Senate

THIRD LEGISLATIVE DAY

Helena, Montana
June 23, 1982

Senate Chambers
Capitol Building

Senate convened at 10:00 a.m., President Turnage presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Dover, Manley, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the Second Legislative Day, find the same to be correct.

O'HARA, Chairman

FIRST READING OF BILLS

The following Senate Bills were introduced, read first time, and referred to committees:

SJR 1, introduced by Towe, Sivertsen, Ryan, Williams, Huennekens, (By Request of the Revenue Oversight Committee). Referred to Committee on Rules.

SB 5, introduced by Van Valkenburg. Referred to Committee on Judiciary.

SB 6, introduced by Van Valkenburg. Referred to Committee on Judiciary.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 10:09 a.m. until the hour of 3 p.m. this day.

Senator Manley present at this time.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bills were on 6/22/82, passed as amended and transmitted to the Senate for concurrence:

House Bill 2, introduced by Moore

House Bill 10, introduced by Bergene

FIRST READING OF BILLS

The following House Bills were introduced, read first time, and referred to committees:

HB 2, introduced by Moore, (By Request of the Governor). Referred to Committee on Finance and Claims.

HB 10, introduced by Bergene, Goodover. Referred to Committee on State Administration.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MONTANA LEGISLATIVE COUNCIL
LIBRARY

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 3:02 p.m. until the hour of 4:30 p.m. this day.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (O'Hara, Chairman):
Correctly printed and placed on the members' desks - SB 5. Report adopted.

JUDICIARY (Anderson, Chairman):
SB 5, do pass. Report adopted.

SB 2, do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Galt, Goodover, Graham, Hager, Halligan, Hazelbaker, Himsl, Jacobson, Keating, Mazurek, Nelson, O'Hara, Regan, Severson, Stephens, Towe, Van Valkenburg, Mr. President.
Total 24

Noes: Aklestad, Anderson, Boylan, Elliott, Etchart, Hafferman, Haffey, Hammond, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Norman, Ochsner, Olson, Ryan, Smith, Stimatz, Tveit, Wolf.
Total 22

Excused: Dover.
Total 1

Absent or not voting: Eck, Story, Thomas.
Total 3

SENATE RULES (Stephens, Chairman):
SJR 1, do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Anderson, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Manley, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Tveit, Wolf, Mr. President.
Total 37

Noes: Berg, Eck, Haffey, Lee, Lynch, Manning, Mazurek, Stimatz, Towe, Van Valkenburg.
Total 10

Excused: Dover.
Total 1

Absent or not voting: Story, Thomas.
Total 2

STATE ADMINISTRATION (Story, Chairman):
HB 10, be concurred in. Report adopted.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Bill No. 10 and Senate Bill No. 5 on second reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Dover.
Total 1

Absent or not voting: Blaylock, Thomas.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Lee in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 10, Special Session II, pass consideration. Motion carried.

That Senate Bill No. 5, Special Session II, do pass by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Dover.
Total 1

Absent or not voting: None.
Total 0

That the Committee rise and report and beg leave to sit again. (Lee, Chairman)

Upon motion of Senator Lee, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of Forty-seventh Legislature be temporarily suspended in order to place Senate Bill No. 5 on third reading this day. Motion carried by the following roll call vote:

Ayes: Aklestad, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Dover.
Total 1

Absent or not voting: Anderson, Galt, Thomas.
Total 3

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 5 was passed by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: Ryan.
Total 1

Excused: Dover.
Total 1

Absent or not voting: Thomas.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Lee in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 10, Special Session II, be amended as follows:

1. Page 2, line 3.

Following: "(3)"
Strike: "establish and maintain OR"

2. Page 2, line 12.
Following: "part 4."
Insert: "Nothing in this subsection shall affect the department's authority to operate and maintain community based prerelease centers in existence on the effective date of this act."

Amendments passed by the following vote:

Ayes: Aklestad, Anderson, Boylan, B. Brown, Conover, Crippen, Elliott, Etchart, Galt, Graham, Hafferman, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manley, Manning, McCallum, Nelson, Ochsner, O'Hara, Olson, Severson, Smith, Stephens, Towe, Tveit, Wolf, Mr. President.
Total 32

Noes: Berg, Blaylock, S. Brown, Eck, Goodover, Haffey, Halligan, Jacobson, Lynch, Mazurek, Norman, Regan, Ryan, Stimatz, Story, Van Valkenburg.
Total 16

Excused: Dover.
Total 1

Absent or not voting: Thomas.
Total 1

That House Bill No. 10, Special Session II, be amended further as follows:

1. Page 1, line 6.
Following: "MAINTAIN"
Insert: "EXISTING"

2. Page 1, line 6.
Following: "CENTERS"
Insert: "AND TO CONTRACT WITH NON-PROFIT ORGANIZATIONS TO ESTABLISH AND MAINTAIN COMMUNITY BASED PRERELEASE CENTERS"

Amendments passed by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: Manley.
Total 1

Excused: Dover.
Total 1

Absent or not voting: Thomas.
Total 1

That House Bill No. 10, as amended, be concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: Manley.
Total 1

Excused: Dover.
Total 1

Absent or not voting: Thomas.
Total 1

That the Committee rise and report. (Lee, Chairman)

Upon motion of Senator Lee, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Bill No. 10 on third reading. Motion carried by the following roll call vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Dover.
Total 1

Absent or not voting: Graham, Manley, Smith, Thomas.
Total 4

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 10 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: Manley.
Total 1

Excused: Dover.
Total 1

Absent or not voting: Thomas.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

The Senate will please take note that the President did, at the hour of 2:00 p.m., 6/23/82, sign the following bill:
HB 1.

Jean A. Turnage
President

Upon motion of Senator Stephens, duly carried, the Senate adjourned at 5:44 p.m. until June 24, at the hour of 10:00 a.m.

JEAN A. TURNAGE
President of the Senate

JOHN W. LARSON
Secretary of the Senate

FOURTH LEGISLATIVE DAY

Helena, Montana
June 24, 1982

Senate Chambers
Capitol Building

Senate convened at 10:00 a.m., President Turnage presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Elliott, Thomas, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the Third Legislative Day, find the same to be correct.

O'HARA, Chairman

MOTIONS

Senator Boylan moved that the Senate reconsider its action taken on the adoption of an Adverse Committee report on Senate Bill No. 2 and that it be printed and placed on Second Reading this day. Motion passed by the following roll call vote:

Ayes: Aklestad, Anderson, Boylan, Dover, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hammond, Jacobson, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Ryan, Stimatz, Thomas, Tveit, Wolf, Mr. President.
Total 27

Noes: Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Eck, Hager, Halligan, Hazelbaker, Himsl, Keating, Mazurek, Norman, O'Hara, Regan, Severson, Smith, Stephens, Story, Towe, Van Valkenburg.
Total 22

Paired: Thomas, Aye; Smith, No.

Excused: Elliott.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bill was on 6/24/82, passed as amended and transmitted to the Senate for concurrence:

House Bill 5, introduced by Moore

FIRST READING OF BILLS

The following House Bill was introduced, read first time, and referred to committee:

HB 5, introduced by Moore, (By Request of the Governor). Referred to Committee on Finance and Claims.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 10:35 a.m. until the hour of 1:30 p.m. this day.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (O'Hara, Chairman):
Correctly printed and placed on the members' desks - SB 2. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bill was on 6/24/82, passed and transmitted to the Senate for concurrence:

House Bill 8, introduced by Menahan

FIRST READING OF BILLS

The following House Bill was introduced, read first time, and referred to committee:

HB 8, introduced by Menahan, Brand, Manning, Quilici, Kanduch, D. Brown, McBride, Kessler, Teague, Pavlovich, Harrington, Lynch, Haffey, Manley, (By Request of the Governor). Referred to Committee on Finance and Claims.

Senator Turnage excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Lynch in the Chair.

Senate resumed. President Pro-Tem Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 2, Special Session II, do pass. Motion failed by the following vote:

Ayes: Anderson, Boylan, Dover, Etchart, Galt, Goodover, Graham, Hafferman, Hammond, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Ryan, Stimatz, Tveit, Wolf.
Total 22

Noes: Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Eck, Haffey, Hager, Halligan, Hazelbaker, Himsl, Jacobson, Keating, Mazurek, Norman, Regan, Severson, Stephens, Story, Towe, Van Valkenburg.
Total 22

Excused: Elliott, Thomas, Mr. President.
Total 3

Absent or not voting: Aklestad, O'Hara, Smith.
Total 3

That the Committee rise and report. (Lynch, Chairman)

Upon motion of Senator Lynch, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Himsl, duly carried, Senate Bill No. 3 was taken from the Committee on Finance and Claims and transferred to the Committee on Taxation.

Upon motion of Senator Stephens, duly carried, the Senate recessed at 1:49 p.m. until the hour of 4:00 p.m. this day.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Goodover, Chairman):
SB 3, do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Berg, Blaylock, B. Brown, Conover, Crippen, Eck, Goodover, Hafferman, Haffey, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manning, Mazurek, Nelson, Norman, Olson, Regan, Severson, Smith, Stephens, Stimatz, Tveit, Wolf.
Total 29

Noes: Anderson, Boylan, Dover, Etchart, Graham, Hager, Halligan, Lee, Manley, Ochsner, Ryan, Towe, Van Valkenburg.
Total 13

Excused: Elliott, Thomas, Mr. President.
Total 3

Absent or not voting: S. Brown, Galt, McCallum, O'Hara, Story.
Total 5

MOTIONS

Upon motion of Senator Boylan, duly carried, consideration of Senate Bill No. 2, Special Session II, was passed for this day.

Upon motion of Senator Stephens, duly carried, the Senate adjourned at 4:10 p.m. until June 25, at the hour of 10:00 a.m.

JEAN A. TURNAGE
President of the Senate

JOHN W. LARSON
Secretary of the Senate

FIFTH LEGISLATIVE DAY

Helena, Montana
June 25, 1982

Senate Chambers
Capitol Building

Senate convened at 10:00 a.m., President Turnage presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except O'Hara, Stephens, Thomas, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the Fourth Legislative Day, find the same to be correct.

O'HARA, Chairman

MOTIONS

Upon motion of Senator Boylan, duly carried, consideration of Senate Bill No. 2 was passed until the afternoon session.

Upon motion of Senator Smith, duly carried, the Senate recessed at 10:09 a.m. until the hour of 1:30 p.m. this day.

Senate resumed at 1:35 p.m. with President Pro-tem Kolstad presiding.

Upon motion of Senator Stephens, duly carried, the Senate recessed at 1:37 p.m. until the hour of 4:00 p.m. this day.

Senators Hager and Regan were excused.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bills were on 6/25/82, passed and transmitted to the Senate for concurrence:

House Joint Resolution 4, introduced by Gould

House Bill 13, introduced by Ellerd

The following House Bill was on 6/25/82, passed as amended and transmitted to the Senate for concurrence:

House Bill 11, introduced by Spilker

FIRST READING OF BILLS

The following House Bills were introduced, read first time, and referred to committees:

HB 11, introduced by Spilker, Keyser, Moore, Fagg, Marks, Fabrega. Referred to Committee on State Administration.
HB 13, introduced by Ellerd, Brand, Boylan. Referred to Committee on State Administration.
HJR 4, introduced by Gould, J. O'Hara, Keyser. Referred to Committee on Judiciary.

Senators Hager, O'Hara and Stephens present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 2, Special Session II, do pass. Motion failed by the following vote:

Ayes: Aklestad, Anderson, Boylan, Dover, Elliott, Etchart, Galt, Hafferman, Hammond, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Ryan, Smith, Stimatz, Tveit, Wolf.
Total 23

Noes: Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Eck, Goodover, Haffey, Hager, Halligan, Hazelbaker, Himsl, Jacobson, Keating, Mazurek, Norman, O'Hara, Severson, Stephens, Towe, Van Valkenburg, Mr. President.
Total 23

Excused: Regan, Thomas.
Total 2

Absent or not voting: Graham, Story.
Total 2

That Senate Bill No. 2, Special Session II, be indefinitely postponed. Motion carried by the following vote:

Ayes: Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Goodover, Haffey, Hager, Halligan, Hazelbaker, Himsl, Jacobson, Keating, Mazurek, Norman, O'Hara, Severson, Stephens, Story, Towe, Van Valkenburg, Mr. President.
Total 25

Noes: Aklestad, Anderson, Boylan, Dover, Etchart, Galt, Graham, Hafferman, Hammond, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Ryan, Smith, Stimatz, Tveit, Wolf.
Total 23

Excused: Regan, Thomas.
Total 2

Absent or not voting: None.
Total 0

That the Committee rise and report. (Van Valkenburg, Chairman)

Upon motion of Senator Van Valkenburg, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 4:12 p.m. until the hour of 4:45 p.m. this day.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Story, Chairman):
HB 13, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House on 6/25/82, authorized the Speaker to appoint a Conference Committee to confer on Senate Amendments to House Bill No. 10.

The Speaker appointed the following members:

Representative Hannah, Chairman
Representative Holliday
Representative Bergene

MOTIONS

Upon motion of Senator Stephens, duly carried, the President was authorized to appoint a Conference Committee on House Bill No. 10.

The President appointed the following members:

Senator Keating, Chairman
Senator Dover
Senator Towe

Upon motion of Senator Stephens, duly carried, the Senate recessed at the hour of 4:52 p.m. subject to the call of the Chair.

Senate resumed at 5:07 p.m.

Upon motion of Senator Stephens, duly carried, the conference committee on House Bill No. 10 was given the status of a free conference committee.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Story, Chairman):
HB 11, third reading copy, be amended as follows:

1. Page 6.
Following: line 14
Insert: "(3) In its review the committee shall:

(a) explore the conditions and problems existing at Montana state prison and within the state's adult corrections programs and the resolution thereof;

(b) suggest appropriation levels for state agencies and programs necessary to alleviate and adequately address the problems and conditions existing in Montana state prison and within the state's adult corrections program;

(c) monitor the implementation and results of the actions taken by the second special session, including the prison vocational industries program established in [Senate Bill 1]."

And, as so amended, be concurred in. Report adopted.

Upon motion of Senator Stephens, duly carried, the Senate adjourned at 5:10 p.m. until June 26, 1982, at the hour of 10:00 a.m.

JEAN A. TURNAGE
President of the Senate

JOHN W. LARSON
Secretary of the Senate

SIXTH LEGISLATIVE DAY

Helena, Montana
June 26, 1982

Senate Chambers
Capitol Building

Senate convened at 10:00 a.m., President Turnage presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Thomas, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the Fifth Legislative Day, find the same to be correct.

O'HARA, Chairman

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Himsl, Chairman):
House Bill No. 8, be concurred in. Report adopted.
House Bill No. 2, third reading copy, be amended as follows:

1. Title, line 7.
Following: "1983;"
Insert: "CLARIFYING THE USE OF PAY PLAN FUNDS AND THEREBY PROVIDING A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 1982;"

2. Page 2.
Following: line 21
Insert: "Section 6. Pay plan funds. (1) Funds appropriated in Chapter No. 421, of the session laws of the 47th Legislature for increases in a pay matrix over and above the level of a pay matrix provided for in Chapter No. 678 of the session laws of the 46th Legislature, may be used for expenditures that are related solely to increases in a pay matrix and transfer of such funds to expenditures for operating expenses in or between any agency of state government is prohibited.

(2) Operating expenses are all those expenses that do not include any expense for personal services."
Renumber: subsequent sections

3. Page 3, line 2.
Following: "for"
Insert: "the stated"
Following: "year"
Strike: "1983"

4. Page 3, lines 3 through 8.
Amend as follows:

	Fiscal Year 1982	Fiscal Year 1983
MONTANA STATE PRISON		
1. General Operations	$103,000	~~$967,507~~ $879,376
2. Utilities Expense —Supplement		11,880
3. Disturbance Control		43,066

TOTAL MONTANA STATE PRISON	$103,000	~~$1,022,453~~ 934,322

5. Page 3, line 13.
Following: "services"
Insert: "in fiscal year 1983"

6. Page 3.
Following: line 13
Insert: "Personal services and utilities for Montana state prison may exceed the amount restricted in H.B. 2, Laws of 1981, first special session, for fiscal year 1982."

7. Page 5, line 1.
Following: "is effective"
Strike: "July"
Insert: "June"

8. Page 5, line 2.
Following: line 1
Strike: "1"
Insert: "25"

And, as so amended, be concurred in. Report adopted.

House Bill No. 5, third reading copy, be amended as follows:

1. Page 2, line 21.
Following: line 20
Strike: "$579,100"
Insert: "$587,100"

2. Page 3, line 15.
Following: line 14
Strike: line 15 in its entirety

3. Page 3.
Following: line 15
Insert: "Guard Tower 190,000"

4. Page 3, line 17.
Strike: "$579,100"
Insert: "$587,100"

5. Page 3, lines 18 through 20.
Following: line 17
Strike: lines 18 through 20 in their entirety

6. Page 3.
Following: line 20
Insert: "The amount of $190,000 for construction of a guard tower and said guard tower shall be constructed only if no other appropriation shall be made for the construction of an additional maximum security facility at the state prison this special session of the legislature. There will be a reversion of any unexpended funds from this appropriation to the general fund."

And, as so amended, be concurred in. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bills were on 6/25/82, passed and transmitted to the Senate for concurrence:

House Bill No. 16, introduced by Moore (71-20)

House Bill No. 17, introduced by Winslow (66-32)

House Bill No. 18, introduced by Keedy (72-20)

House Bill No. 19, introduced by Eudaily (69-22)

House Joint Resolution No. 3, introduced by Quilici (66-24)

FIRST READING OF BILLS

The following House Bills were introduced, read first time, and referred to committees:

House Bill No. 16, introduced by Moore. Referred to Committee on Finance and Claims.
House Bill No. 17, introduced by Winslow, Iverson, Burnett, Kolstad, Keyser, Fabrega, Holliday, Fagg, Ramirez, Stobie, J. Ryan, Underdal, Conroy, Asay, Roush, Vinger. Referred to Committee on Business and Industry.
House Bill No. 18, introduced by Keedy, Anderson, Vincent, Donaldson, Metcalf, Fabrega, Gould, Hemstad, Harper, Dussault, Bardanouve, Kessler, Ramirez. Referred to Committee on Finance and Claims.
House Bill No. 19, introduced by Eudaily, Marks, Keedy, Anderson. Referred to Committee on Finance and Claims.
House Joint Resolution No. 3, introduced by Quilici, Fabrega, Stephens, Stimatz, Lynch. Referred to Committee on State Administration.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the conference committee appointed to confer on House Bill No. 10 be dissolved and that the President be authorized to appoint a free conference committee to confer on said bill. Motion carried.

The President appointed the following members:

Senator Keating, Chairman
Senator Dover
Senator Towe

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 11, third reading copy, be amended as follows:

1. Page 3, lines 1 through 4.
Following: page 2
Strike: lines 1 through 4 in their entirety

Amendment passed by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham,

Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thomas.
Total 1

Absent or not voting: None.
Total 0

That House Bill No. 11, third reading copy, be further amended as follows:

1. Page 6, line 14.
Following: "MONTANA"
Strike: "."
Insert: "; and"

2. Page 6.
Following: line 14
Insert: "(f) in addressing prison physical plant additions, give primary consideration to providing for the segregation of prisoners based upon prisoner attitudes and work assignments to reduce the effects of prejudice against prisoners intent on reformation by hard-core prisoners."

Amendment passed by the following vote:

Ayes: Aklestad, Boylan, B. Brown, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manley, Manning, Mazurek, Nelson, Ochsner, O'Hara, Olson, Severson, Smith, Stephens, Story, Tveit, Van Valkenburg, Mr. President.
Total 33

Noes: Berg, Blaylock, S. Brown, Conover, Haffey, Halligan, Jacobson, Lynch, McCallum, Norman, Ryan, Stimatz, Towe, Wolf.
Total 14

Excused: Regan, Thomas.
Total 2

Absent or not voting: Anderson.
Total 1

That House Bill No. 11, as amended, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Boylan, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manley, McCallum, Nelson, Ochsner, O'Hara, Olson, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Wolf, Mr. President.
Total 31

Noes: Berg, Blaylock, B. Brown, S. Brown, Conover, Eck, Graham, Hafferman, Haffey, Halligan, Jacobson, Lynch, Manning, Mazurek, Norman, Ryan, Van Valkenburg.

Total 17

Excused: Regan, Thomas.
Total 2

Absent or not voting: None.
Total 0

Senator Thomas present at this time.

That House Bill No. 13, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Boylan, B. Brown, Crippen, Dover, Elliott, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Tveit, Wolf, Mr. President.
Total 37

Noes: Berg, Blaylock, S. Brown, Conover, Eck, Etchart, Halligan, Mazurek, Norman, O'Hara, Towe, Van Valkenburg.
Total 12

Excused: Regan.
Total 1

Absent or not voting: None.
Total 0

That the Committee rise and report and beg leave to sit again. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Senate Bill was on 6/26/82, concurred in and returned to the Senate:

Senate Bill No. 5, introduced by Van Valkenburg (90-1)

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Bill No. 11 and House Bill No. 13 on Third Reading for consideration this legislative day. Motion carried by the following roll call vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Norman, Ochsner, O'Hara, Olson, Ryan, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Regan.
Total 1

Absent or not voting: Hafferman, Nelson, Severson.
Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 11 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Boylan, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Hafferman, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manley, McCallum, Nelson, Ochsner, O'Hara, Olson, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 33

Noes: Berg, Blaylock, B. Brown, S. Brown, Conover, Eck, Graham, Haffey, Halligan, Jacobson, Lynch, Manning, Mazurek, Norman, Regan, Ryan, Van Valkenburg.
Total 17

Paired: Stephens, Aye; Regan, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House Bill No. 13 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Boylan, B. Brown, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, McCallum, Nelson, Ochsner, O'Hara, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Tveit, Wolf, Mr. President.
Total 39

Noes: Berg, Blaylock, S. Brown, Conover, Eck, Halligan, Mazurek, Norman, Regan, Towe, Van Valkenburg.
Total 11

Paired: Smith, Aye; Regan, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 11:04 a.m. until the hour of 1:30 p.m. this day.

Upon motion of Senator Stephens, duly carried, the Senate recessed at 1:31 p.m. subject to the call of the Chair.

Senate resumed at 1:56 p.m.

Senator O'Hara was excused at this time.

REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Hazelbaker, Chairman):
HB 17, be concurred in. Report adopted.

FINANCE AND CLAIMS (Himsl, Chairman):
HB 16, third reading copy, be amended as follows:

1. Page 1, line 25.
Following: "FACILITIES."
Insert: "on the prison ranch"

2. Page 1, line 25 through line 1 on page 2.
Following: "FACILITIES."
Strike: "ERECTION AND CONSTRUCTION WILL UTILIZE PRISON LABOR."

And, as so amended, be concurred in. Report adopted.

HB 18, be not concurred in.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Anderson, B. Brown, Crippen, Elliott, Etchart, Galt, Goodover, Hager, Hammond, Hazelbaker, Himsl, Kolstad, Lee, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Severson, Smith, Stephens, Story, Thomas, Tveit, Wolf, Mr. President.
Total 28

Noes: Berg, Blaylock, Boylan, S. Brown, Conover, Dover, Eck, Graham, Hafferman, Haffey, Halligan, Jacobson, Lynch, Mazurek, Norman, Regan, Ryan, Stimatz, Towe, Van Valkenburg.
Total 20

Excused: O'Hara.
Total 1

Absent or not voting: Keating.
Total 1

HB 19, be not concurred in.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Regan, Severson, Smith, Stephens, Story, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: Ryan, Stimatz, Wolf.
Total 3

Excused: O'Hara.
Total 1

Absent or not voting: None.
Total 0

JUDICIARY (Anderson, Chairman):
SB 4, as amended, do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Boylan, B. Brown, Conover, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Graham, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Regan, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 31

Noes: Anderson, Berg, S. Brown, Eck, Hafferman, Haffey, Halligan, Jacobson, Lee, Lynch, Mazurek, Norman, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 17

Excused: O'Hara.
Total 1

Absent or not voting: Blaylock.
Total 1

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Bills 16, 17, 2, 5, and 8 on second reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 48

Noes: None.
Total 0

Excused: O'Hara.
Total 1

Absent or not voting: S. Brown.
Total 1

Senator Regan moved that the Senate reconsider its action taken on the adoption of an Adverse Committee Report on House Bill No. 18 this legislative day. Motion carried by the following roll call vote:

Ayes: Anderson, Berg, Blaylock, Boylan, S. Brown, Conover, Crippen, Dover, Eck, Graham, Haffey, Hager, Halligan, Hazelbaker, Jacobson, Lynch, Manning, Mazurek, Norman, Regan, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 25

Noes: Aklestad, B. Brown, Elliott, Etchart, Galt, Goodover, Hafferman, Hammond, Himsl, Keating, Kolstad, Lee, Manley, McCallum, Nelson, Ochsner, Olson, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 24

Excused: O'Hara.
Total 1

Absent or not voting: None.

Total 0

Senator Story moved that HJR 3 be taken from the Committee on State Administration and placed on second reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 49

Noes: None.
Total 0

Excused: O'Hara.
Total 1

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That without objection HB 8 and HB 18 be moved to the top of the board. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 49

Noes: None.
Total 0

Excused: O'Hara.
Total 1

Absent or not voting: None.
Total 0

That House Bill No. 8, third reading copy, be amended. Motion failed by the following vote:

Ayes: Berg, Blaylock, B. Brown, S. Brown, Conover, Eck, Graham, Hafferman, Haffey, Halligan, Hazelbaker, Jacobson, Lynch, Manley, Manning, Mazurek, Norman, Regan, Ryan, Stimatz, Thomas, Van Valkenburg.
Total 22

Noes: Aklestad, Anderson, Boylan, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Hager, Hammond, Himsl, Keating, Kolstad, Lee, McCallum,

Nelson, Ochsner, Olson, Severson, Smith, Stephens, Story, Towe, Tveit, Wolf, Mr. President.
Total 27

Excused: O'Hara.
Total 1

Absent or not voting: None.
Total 0

That House Bill No. 8, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 49

Noes: None.
Total 0

Excused: O'Hara.
Total 1

Absent or not voting: None.
Total 0

That House Bill No. 18, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Dover, Eck, Graham, Hafferman, Haffey, Hager, Halligan, Hazelbaker, Jacobson, Lynch, Manley, Manning, Mazurek, Norman, Ochsner, Regan, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 28

Noes: Aklestad, Crippen, Elliott, Etchart, Galt, Goodover, Hammond, Himsl, Keating, Kolstad, Lee, McCallum, Nelson, Olson, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 21

Excused: O'Hara.
Total 1

Absent or not voting: None.
Total 0

Senator Regan excused at this time.

That House Bill No. 2, third reading copy, be amended. Motion failed by the following vote:

Ayes: Berg, Eck, Graham, Halligan, Hazelbaker, Keating, Ryan, Story, Towe.
Total 9

Noes: Aklestad, Anderson, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Elliott, Etchart, Galt, Hafferman, Haffey, Hager, Hammond, Himsl, Jacobson, Kolstad, Lee, Lynch, Manley, Manning,

Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Severson, Stephens, Stimatz, Thomas, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 36

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Blaylock, Goodover, Smith.
Total 3

That House Bill No. 2, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: Wolf.
Total 1

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Story.
Total 1

That the Committee rise and report and beg leave to sit again. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place HB 8, HB 18, HB 2 on third reading for consideration this legislative day. Motion carried by the following roll call vote:

Ayes: Aklestad, Anderson, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Goodover, Graham, Hafferman, Haffey, Hager, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Severson, Smith, Stephens, Stimatz, Story, Thomas, Tveit, Wolf.
Total 41

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Berg, Galt, Halligan, Ryan, Towe, Van Valkenburg, Mr. President.
Total 7

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 8 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Lee.
Total 1

House Bill No. 18 was concurred in by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Dover, Eck, Graham, Hafferman, Haffey, Hager, Halligan, Jacobson, Lynch, Manley, Manning, Mazurek, Norman, Ochsner, O'Hara, Regan, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 28

Noes: Aklestad, Crippen, Elliott, Etchart, Galt, Goodover, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, McCallum, Nelson, Olson, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 22

Paired: Regan, O'Hara, Ayes; McCallum, Smith, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 2 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: Lee, Wolf.
Total 2

Excused: O'Hara, Regan.
Total 2

Absent or not voting: None.

Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 16, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 48

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: None.
Total 0

That House Bill No. 17, without objection, be moved to the bottom of the board.

That House Bill No. 5, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 48

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: None.
Total 0

That House Joint Resolution No. 3, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Goodover, Graham, Hafferman, Haffey,

Halligan, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manley, Manning, Mazurek, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 38

Noes: Aklestad, Dover, Galt, Hager, Hammond, Lee, Nelson, Story, Wolf.
Total 9

Excused: O'Hara, Regan.
Total 2

Absent or not voting: McCallum.
Total 1

That the Committee rise and report and beg leave to sit again. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place HB 16, HB 5 and HJR 3 on third reading this day. Motion carried by the following vote:

Ayes: Aklestad, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 45

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Anderson, Elliott, Van Valkenburg.
Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 16 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 45

Noes: Berg, Van Valkenburg.
Total 2

Excused: O'Hara, Regan.

Total 2

Absent or not voting: Dover.
Total 1

House Bill No. 5 was concurred in by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 46

Noes: Aklestad.
Total 1

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Lee.
Total 1

House Joint Resolution 3 was concurred in by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Goodover, Graham, Hafferman, Haffey, Halligan, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lynch, Manley, Manning, Mazurek, Norman, Ochsner, O'Hara, Ryan, Severson, Smith, Stephens, Stimatz, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 38

Noes: Aklestad, Dover, Galt, Hager, Hammond, Lee, McCallum, Nelson, Olson, Story, Wolf.
Total 11

Paired: O'Hara, Aye; Aklestad, No.

Excused: Regan.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 17, third reading copy, be amended. Motion failed by the following vote:

Ayes: Berg, Blaylock, S. Brown, Eck, Hafferman, Haffey, Halligan, Jacobson, Lynch, Manley, Manning, Mazurek, Norman, Olson, Ryan, Stimatz, Thomas, Van Valkenburg.
Total 18

Noes: Aklestad, Anderson, Boylan, B. Brown, Conover, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Graham, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, McCallum, Nelson, Ochsner, Severson, Smith, Stephens, Story, Towe, Tveit, Wolf, Mr. President.
Total 30

Excused: O'Hara, Regan.
Total 2

Absent or not voting: None.
Total 0

That House Bill No. 17, third reading copy, be amended. Motion failed by the following vote:

Ayes: Berg, Blaylock, Boylan, S. Brown, Conover, Eck, Hafferman, Haffey, Halligan, Jacobson, Lynch, Mazurek, Norman, Olson, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 19

Noes: Aklestad, Anderson, B. Brown, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Graham, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manley, McCallum, Nelson, Ochsner, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 28

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Manning.
Total 1

That House Bill No. 17, third reading copy, be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, B. Brown, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Graham, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manley, Manning, McCallum, Nelson, Ochsner, Olson, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 30

Noes: Berg, Blaylock, Boylan, S. Brown, Conover, Eck, Hafferman, Haffey, Halligan, Jacobson, Lynch, Mazurek, Norman, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 18

Excused: O'Hara, Regan.
Total 2

Absent or not voting: None.
Total 0

That the Committee rise and report and beg leave to sit again. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place HB 17 on third reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 47

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Keating.
Total 1

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 17 was concurred in by the following vote:

Ayes: Aklestad, Anderson, B. Brown, Crippen, Dover, Elliott, Etchart, Galt, Goodover, Graham, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manning, McCallum, Nelson, Ochsner, O'Hara, Olson, Severson, Smith, Stephens, Story, Tveit, Wolf, Mr. President.
Total 30

Noes: Berg, Blaylock, Boylan, S. Brown, Eck, Hafferman, Haffey, Halligan, Jacobson, Lynch, Manley, Mazurek, Norman, Regan, Ryan, Stimatz, Thomas, Towe, Van Valkenburg.
Total 19

Paired: O'Hara, Smith, Ayes; Blaylock, Regan, Noes.

Excused: None.
Total 0

Absent or not voting: Conover.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The House on 6/26/82, acceded to the request of the Senate and dissolved the Conference Committee for Senate Amendments to House Bill No. 10 and the Speaker was authorized to appoint a Free Conference Committee.

The Speaker appointed the following members:

Representative Winslow, Chairman

Representative Bergene

Representative Brown

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 10
Report No. 1, June 26, 1982

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 10, met June 26, 1982, and considered:

Senate Committee of the Whole Amendments to the second reading copy, dated June 23, 1982, and recommend as follows:

That the House accede to the Committee amendments in their entirety;

That House Bill No. 10 be further amended as specified in the CLERICAL INSTRUCTIONS nos. 1 through 5;

That the third reading copy of House Bill 10 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Conference Report to House Bill No. 10 be adopted.

Clerical Instructions:

1. Title, line 5.
Following: "TO"
Strike: "ESTABLISH AND"

2. Title, line 7.
Following: "WITH"
Insert: "PRIVATE"

3. Title, line 7.
Following: "NONPROFIT"
Strike: "ORGANIZATIONS"
Insert: "MONTANA CORPORATIONS"

4. Page 2, line 5.
Following: "WITH"
Insert: "PRIVATE"

5. Page 2, line 6.
Following: line 5
Strike: "ORGANIZATIONS"
Insert: "MONTANA CORPORATIONS"

FOR THE SENATE:

Senator Keating, Chairman
Senator Dover
Senator Towe

FOR THE HOUSE:

Representative Bergene, Chairman
Representative Brown
Representative Winslow

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place the free joint conference committee report on HB 10 on second reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner,

Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 45

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Blaylock, Dover, Graham.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Free Joint Conference Committee Report on House Bill No. 10 be adopted. Motion carried by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Halligan, Hammond, Himsl, Keating, Kolstad, Lee, Manley, Manning, Mazurek, McCallum, Nelson, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 38

Noes: Aklestad, S. Brown, Haffey, Jacobson, Lynch, Norman, Stimatz, Van Valkenburg.
Total 8

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Dover, Hazelbaker.
Total 2

That the Committee rise and report and beg leave to sit again. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place the free conference committee report on HB 10 on third reading this day. Motion carried by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.

Total 44

Noes: Aklestad, S. Brown.
Total 2

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Dover, Graham.
Total 2

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Free Joint Conference Committee Report on House Bill 10 was adopted by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Hafferman, Hager, Halligan, Hammond, Hazelbaker, Himsl, Keating, Lee, Manley, Manning, Mazurek, McCallum, Nelson, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Story, Thomas, Towe, Wolf, Mr. President.
Total 37

Noes: Aklestad, S. Brown, Haffey, Jacobson, Kolstad, Lynch, Norman, Stimatz, Tveit, Van Valkenburg.
Total 10

Excused: O'Hara, Regan.
Total 2

Absent or not voting: Graham.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 4:53 p.m., subject to the call of the Chair.

Senate resumed at 6:47 p.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

BILLS (O'Hara, Chairman):

I have examined Senate Bill No. 5 introduced by me and find the same to be correct. (Van Valkenburg)

The Senate will please take note that the President did, at the hour of 5:15 p.m., 6/26/82, sign the following bills:
SB 5.

Jean A. Turnage
President

Correctly enrolled - SB 5. Report adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Conference Committee Report was on 6/26/82, adopted:

Conference Committee Report on Senate Amendments to House Bill No. 10 (72-18)

The following Senate Bill was on 6/26/82, concurred in as amended and returned to the Senate:

Senate Bill No. 1, introduced by Turnage (54-36)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Amendments to Senate Bill No. 1 be concurred in. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Dover, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 48

Noes: None.
Total 0

Excused: O'Hara, Regan.
Total 2

Absent or not voting: None.
Total 0

That the Committee rise and report and beg leave to sit again. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place House Amendments to Senate Bill No. 1 on third reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Elliott, Etchart, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 42

Noes: None.
Total 0

Excused: Dover, Norman, O'Hara, Regan.
Total 4

Absent or not voting: Eck, Hafferman, Manley, Van Valkenburg.
Total 4

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Amendments to Senate Bill 1 were concurred in by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, B. Brown, S. Brown, Conover, Crippen, Elliott, Etchart, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Manning, Mazurek, McCallum, Nelson, Ochsner, Olson, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 41

Noes: Boylan.
Total 1

Excused: Dover, Norman, O'Hara, Regan.
Total 4

Absent or not voting: Eck, Hafferman, Lynch, Manley.
Total 4

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 6:59 p.m. subject to the call of the Chair.

Senate resumed at 7:21 p.m.

Senator Stephens moved, duly carried, that the President be authorized to appoint a Free Conference Committee of three to meet with a like committee from the House to confer on amendments to House Bill No. 5.

The President appointed the following members:

Senator Story, Chairman
Senator Wolf
Senator Thomas

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following House Bill was on 6/26/82, passed as amended and transmitted to the Senate for concurrence:

House Bill 20, introduced by Keedy (71-20)

FIRST READING OF BILLS

The following House Bill was introduced, read first time, and referred to committee:

HB 20, introduced by Keedy. Referred to Committee on Finance and Claims.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Upon motion of Senator Stephens, duly carried, the Senate recessed at 7:32 p.m. subject to the call of the Chair.

Senate resumed at 8:13 p.m.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Sergeant-at-Arms announced that a committee from the Honorable House of Representatives was waiting. They were admitted and informed the Senate that the House of the Forty-seventh Legislature, Special Session II, had completed its business and was ready to adjourn sine die. President Turnage thanked and dismissed the committee, telling them they were as welcome as the flowers in May.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 5
Report No. 1, June 26, 1982

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 5, met June 26, 1982, and considered:

Senate Finance and Claims Committee amendments dated June 26, 1982,

and recommend as follows:

Having had under consideration Senate Finance and Claims Committee amendments dated June 26, 1982,

That the Senate recede from the Senate Finance and Claims Committee amendments numbered 1, 3, and 4,

and that the House accede to amendment number 2,

and that House Bill 5, third reading copy, be amended further as shown in the CLERICAL INSTRUCTIONS.

Clerical Instructions:

1. Page 2, line 21.
Following: line 20
Strike: "$579,100"
Insert: "$397,100"

2. Page 2, line 22.
Following: line 21
Strike: section 6 in its entirety
Renumber: subsequent sections

3. Page 3, line 17.
Following: line 16
Strike: "$579,100"
Insert: "$397,100"

4. Page 2, line 18.
Following: line 17
Strike: lines 18 through 20 in their entirety

And that the Free Joint Conference Committee Report on House Bill No. 5 be adopted.

FOR THE SENATE:	FOR THE HOUSE:
Senator Story, Chairman	Representative Moore, Chairman
Senator Wolf	Representative Lory
Senator Thomas	Representative Bardanouve

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place free joint conference committee report on House Bill No. 5 on second reading this day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Ochsner, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Dover, Norman, O'Hara, Regan.
Total 4

Absent or not voting: Manley, Olson.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker in the Chair.

Senate resumed. President Turnage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Free Joint Conference Committee Report on House Bill No. 5 be adopted. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Boylan, B. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Hafferman, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manning, McCallum, Nelson, Ochsner, Severson, Smith, Stephens, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 32

Noes: Berg, Blaylock, S. Brown, Graham, Haffey, Halligan, Jacobson, Lynch, Mazurek, Ryan, Stimatz, Van Valkenburg.

Total 12

Excused: Norman, O'Hara, Regan.
Total 3

Absent or not voting: Dover, Manley, Olson.
Total 3

That the Committee rise and report. (Hazelbaker, Chairman)

Upon motion of Senator Hazelbaker, duly carried, the foregoing Report of the Committee of the Whole was adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Stephens moved that the Joint Rules of the Forty-seventh Legislature be temporarily suspended in order to place the free joint conference committee report on House Bill No. 5 on third reading for consideration this legislative day. Motion carried by the following vote:

Ayes: Aklestad, Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lee, Lynch, Manning, Mazurek, McCallum, Nelson, Ochsner, Ryan, Severson, Smith, Stephens, Stimatz, Story, Thomas, Towe, Tveit, Van Valkenburg, Wolf, Mr. President.
Total 44

Noes: None.
Total 0

Excused: Norman, O'Hara, Regan.
Total 3

Absent or not voting: Dover, Manley, Olson.
Total 3

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Free Conference Committee Report on House Bill No. 5 adopted by the following vote:

Ayes: Aklestad, Anderson, Boylan, B. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Manning, McCallum, Nelson, Ochsner, Severson, Smith, Stephens, Story, Thomas, Towe, Tveit, Wolf, Mr. President.
Total 33

Noes: Berg, Blaylock, S. Brown, Haffey, Halligan, Jacobson, Lynch, Mazurek, Ryan, Stimatz, Van Valkenburg.
Total 11

Excused: Norman, O'Hara, Regan.
Total 3

Absent or not voting: Dover, Manley, Olson.
Total 3

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Senate Amendments to House Bills were on 6/26/82, concurred in:

Senate Amendments to House Bill No. 2 (80-6)

Senate Amendments to House Bill No. 16 (87-2)

The following Senate Amendments to a House Bill were on 6/26/82, not concurred in:

Senate Amendments to House Bill No. 5 (72-18)

The House on 6/26/82, dissolved the Conference Committee on Senate Amendments to House Bill No. 5, and the Speaker was authorized to appoint a Free Conference Committee, and the House respectfully requests the Senate to appoint a like committee.

The Speaker appointed the following members:

Representative Moore, Chairman

Representative Lory

Representative Bardanouve

The following Free Conference Committee Report was on 6/26/82, adopted:

Free Conference Committee Report on Senate Amendments to House Bill No. 5 (79-3)

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Himsl, Chairman):
HB 20, be not concurred in.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Anderson, Boylan, B. Brown, Conover, Crippen, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Hager, Hammond, Hazelbaker, Himsl, Kolstad, Lee, Manning, McCallum, Nelson, Ochsner, Severson, Smith, Stephens, Story, Thomas, Tveit, Wolf, Mr. President.
Total 30

Noes: Berg, Blaylock, S. Brown, Eck, Haffey, Halligan, Jacobson, Keating, Lynch, Mazurek, Ryan, Stimatz, Towe, Van Valkenburg.
Total 14

Excused: Norman, O'Hara, Regan.
Total 3

Absent or not voting: Dover, Manley, Olson.
Total 3

MOTIONS

Senator Stephens moved, duly carried, that the President be authorized to appoint a committee of four to notify His Excellency, the Governor,

that the Senate of the 47th Legislature's Special Session II had completed its business and was ready to adjourn sine die.

The President appointed the following committee:

Senator Goodover
Senator Lee
Senator Stimatz
Senator Haffey

Senator Stephens moved, duly carried, that the President be authorized to appoint a committee of four to notify the House of Representatives that the Senate of the 47th Legislature's Special Session II had completed its business and was ready to adjourn sine die.

The President appointed the following committee:

Senator B. Brown
Senator Tveit
Senator Conover
Senator Eck

Senator Stephens moved, duly carried, that the President be authorized to appoint a committee of four to notify the Chief Justice and justices of the Montana Supreme Court that the Senate of the 47th Legislature's Special Session II had completed its business and was ready to adjourn sine die.

The President appointed the following committee:

Senator Anderson
Senator Berg
Senator Mazurek

The committees were excused to perform their duties.

Senator Stephens moved, duly carried, that the Senate stand at ease at 8:32 p.m., subject to the call of the Chair to await the report of the select committees.

Senate resumed at 8:37 p.m.

REPORTS OF SELECT COMMITTEES

At this time the Sergeant-at-Arms admitted the committee which had gone to notify the House of Representatives that the Senate was ready to adjourn sine die. The committee made its report, was thanked and dismissed.

The committee to notify the Supreme Court was admitted and reported that the Chief Justice had wished them well and peace until January. The committee was thanked and discharged by the President.

The committee to notify His Excellency, the Governor, was admitted and reported that the Governor bid the Senate Godspeed and indicated that he was not entirely happy with the results of the special session, but not entirely unhappy. The committee was thanked and discharged.

MOTIONS

Senator Stephens moved, duly carried, that the Senate publish the journal of the proceedings of Special Session II up through this legislative day.

Senator Stephens moved, duly carried, that a new joint rule of Special Session II be adopted that provides that any bill passed by both houses

of the Legislature by this legislative day may be enrolled, clerically corrected by the presiding officers, signed by the presiding officers, and delivered to the Governor not later than seven days thereafter. All journal entries authorized under this rule as announcements and/or communications will be entered in the journal for this legislative day.

Upon motion of Senator Stephens, duly carried, the Senate adjourned sine die at 8:39 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (O'Hara, Chairman):

Signed by the Speaker of the House and President of the Senate, 6/28/82, at the hour of 10:30 a.m., delivered to the Governor for his approval - SB 5.

MESSAGES FROM THE GOVERNOR

June 29, 1982

The Honorable Jean Turnage
President of the Senate
State Capitol
Helena, Montana 59620

Dear Mr. President:

This is to inform you that I have signed the following measure this date:

Senate Bill No. 5.

Sincerely,

Ted Schwinden
Governor

The Honorable Jean Turnage
President of the Senate
State Capitol
Helena, Montana 59620

July 14, 1982

Dear Mr. President:

This is to inform you that I have signed the following measure this date:

Senate Bill No. 1.

Sincerely,

Ted Schwinden
Governor

The Honorable Jean A. Turnage
President of the Senate
State Capitol
Helena, Montana 59620

July 15, 1982

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Turnage and Representative Marks:

In exercising the constitutional powers granted me as Governor by Article VI, Section 10(5) of the Constitution of the State of Montana, I hereby veto the following item in House Bill No. 2 (2nd Special Session), "AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF INSTITUTIONS FOR INCREASED CORRECTIONS COSTS FOR FISCAL YEAR 1983; CLARIFYING THE USE OF PAY PLAN FUNDS AND THEREBY PROVIDING A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 1982; AND PROVIDING AN EFFECTIVE DATE" for the reason stated herein and approve the remainder of the bill.

1. Page 2, line 23 through line 6 on page 3 of Reference Copy.
Following: line 22 on page 2
Strike: "SECTION 6. PAY PLAN FUNDS. (1) FUNDS APPROPRIATED IN CHAPTER NO. 421, OF THE SESSION LAWS OF THE 47TH LEGISLATURE FOR INCREASES IN A PAY MATRIX OVER AND ABOVE THE LEVEL OF A PAY MATRIX PROVIDED FOR IN CHAPTER NO. 678 OF THE SESSION LAWS OF THE 46TH LEGISLATURE, MAY BE USED FOR EXPENDITURES THAT ARE RELATED SOLELY TO INCREASES IN A PAY MATRIX AND TRANSFER OF SUCH FUNDS TO EXPENDITURES FOR OPERATING EXPENSES IN OR BETWEEN ANY AGENCY OF STATE GOVERNMENT IS PROHIBITED."

The vetoed language is clearly outside the scope of my "Call to the 47th Legislature For a Special Session" issued on May 24, 1982. The scope of the call was limited to corrections issues existing at Montana State Prison and within the state's adult corrections programs. The vetoed language pertains to pay plan funds approrpriated by the 47th Legislature in Chapter No. 421 of the Session Laws and applies to any and all executive, judicial, and legislative branch agencies. The legislature could have exercised its constitutional authority to resolve itself into special session and properly consider this matter or any other. It chose not to.

Failure to veto Section 6 of House Bill 2 would constitute an unacceptable acquiescence on my part to an unauthorized legislative action.

Respectfully,

Ted Schwinden
Governor

JEAN A. TURNAGE
President of the Senate

JOHN W. LARSON
Secretary of the Senate

HOUSE JOURNAL

OF THE

Second Special Session of the Forty-seventh Legislature

OF THE

State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
June 21, 1982

House Chambers
Capitol Building

House reconvened at 10:00 a.m., Mr. Speaker in the Chair.

ADJOURNMENT

Representative Fagg moved that the House of Representatives of Special Session I of the Forty-seventh Legislature adjourn sine die. Motion carried unanimously. The House adjourned sine die at 10:10 a.m.

OPENING
SPECIAL SESSION II

Pursuant to the proclamation of His Excellency, the Governor, and to the law in such cases, made and provided, the House of Representatives of the Forty-seventh Legislature of the State of Montana, in Special Session assembled, is hereby called to order by the Speaker, the Honorable Robert L. Marks, at 10:10 a.m., Monday, June 21, 1982.

Mr. Speaker in the Chair.

Roll call. All members present except Anderson, Conn, Daily, Donaldson, Nordtvedt, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

STATE OF MONTANA
OFFICE OF THE GOVERNOR
PROCLAMATION

Call to the 47th Legislature
for a Special Session

WHEREAS, Article V, Section 6, of the Constitution of the State of Montana provides that the legislature may be convened in special sessions by the Governor; and

WHEREAS, Article VI, Section 11, of the Constitution of the State of Montana also provides that whenever the Governor considers it is in the public interest, he may convene the legislature; and

WHEREAS, inmate population at Montana State Prison is in excess of levels determined to be commensurate with sound prison policy; and

WHEREAS, overcrowding was a factor in the March 24, 1982, disturbance at Montana State Prison; and

WHEREAS, several proposals have been developed by the Executive Branch to reduce inmate population at Montana State Prison and enhance security at that institution; and

WHEREAS, it is necessary that a decision be made by the legislature as to the most appropriate proposal; and

WHEREAS, these proposals require the expenditure of general fund monies in excess of appropriated levels; and

WHEREAS, a special session to consider these matters is in the public interest of all Montanans.

NOW, THEREFORE I, TED SCHWINDEN, Governor of the State of Montana, pursuant to the authority vested in me by the Constitution of

the State of Montana, do hereby convene the 47th Legislature in special session in the Capitol, in Helena, at the hour of 10:00 a.m., the 21st day of June, 1982, and hereby direct the special session of the 47th Legislature to consider the following subjects:

1. Conditions and problems existing at Montana State Prison and within the state's adult corrections programs, and the resolution thereof;

2. Amendments, repealers, new sections to existing statutes or new acts, so that the problems existing in Montana State Prison and within the state's adult corrections programs may be resolved; and

3. Appropriations to state agencies and programs necessary to alleviate and adequately address the problems and conditions existing in Montana State Prison and within the state's adult corrections programs.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the GREAT SEAL
OF THE STATE OF MONTANA to be affixed.
DONE at the City of Helena, the Capital,
this 24th day of May, in the
year of our LORD, one thousand nine
hundred and eighty-two.

TED SCHWINDEN, Governor

Attest:

JIM WALTERMIRE, Secretary of State

Lieutenant Joe DeWolf and the Honor Guard members of the Montana Army National Guard posted the Colors.

The Pledge of Allegiance to the Flag by the members followed.

Chaplain John Moes gave the invocation.

Justice Weber was escorted into the House chambers to administer the following oath to Jack Ramirez, a new member of the House:

I, Jack Ramirez, do solemnly swear that I will support, protect and defend the constitution of the United States, and the constitution of the state of Montana, and that I will discharge the duties of my office as Representative with fidelity so help me God.

Thereupon, Representative Ramirez, having presented his certificate of election, subscribed to the oath.

MOTIONS

Representative Fagg moved that the officers, organization, rules, joint rules, orders of business, and all standing committees of the 47th Legislative Assembly be made the officers, organization, rules, joint rules, orders of business, and all standing committees of Special Session II of the 47th Legislative Assembly, with the exception of joint rules 6-7 and 6-19. Motion carried.

Representative Fagg moved that the Speaker appoint a select committee of five to notify His Excellency, the Governor, that the House of Representatives has adjourned Special Session I sine die and is organized for Special Session II and ready to receive any messages he wishes to deliver. Motion carried.

Speaker Marks appointed Representatives Schultz (Chairman), Hemstad, Zabrocki, Kennerly and Devlin and they were dismissed from the chamber.

Representative Fagg moved that the Speaker appoint a select committee of five to notify the Chief Justice and associate members of the Supreme Court that the House of Representatives has adjourned Special Session I sine die and is organized for Special Session II and ready for the transaction of business and to invite the Chief Justice and associate members of the Supreme Court to attend a joint session of the House and the Senate at a time to be designated. Motion carried.

Speaker Marks appointed Representatives Thoft (Chairman), Ramirez, Feda, Bardanouve and Keedy and they were dismissed from the chamber.

Representative Fagg moved that the Speaker appoint a select committee of five to notify the Senate that the House of Representatives has adjourned Special Session I sine die and is organized for Special Session II and ready for business and that the House wishes them success in their deliberations. Motion carried.

Speaker Marks appointed Representatives Iverson (Chairman), Burnett, Bergene, Williams and Manuel and they were dismissed from the chamber.

Representative Fagg moved that the House stand in recess, subject to the call of the Chair, to await the reports of the select committees. Motion carried.

House recessed.

House resumed.

MESSAGES FROM THE OTHER HOUSE

Senator Hazelbaker entered to notify the House that the Senate had adjourned Special Session I sine die and was organized for Special Session II and wished the House success in their deliberations.

REPORTS OF SELECT COMMITTEES

The committee to notify His Excellency, the Governor, returned and reported that the message had been delivered. The Speaker thanked the committee and discharged it.

The committee to notify the Senate returned and reported that the message had been delivered. The Speaker thanked the committee and discharged it.

The committee to notify the Chief Justice and associate members returned and reported the message had been delivered. The Speaker thanked the committee and discharged it.

MOTIONS

Representative Fagg moved that the accredited members of the press, radio and television be granted the privilege of the House floor, subject to the rules. Motion carried.

Representative Fagg moved that the roll call of the joint session be dispensed with. Motion carried.

SPECIAL ORDERS OF THE DAY

Senator Olson entered to notify the House that the Senate was prepared to join the Honorable House in joint session with the Governor.

House stood at ease.

House resumed.

The Speaker asked the Sergeant-at-Arms to escort the Senate and the various elected state officials into the chamber. They included Secretary of State Jim Waltermire, Attorney General Mike Greely, Superintendent of Public Instruction Ed Argenbright, and State Auditor Sonny Omholt.

Speaker Marks gave the Chair to President Turnage.

Senator Stephens moved that the body resolve itself into a joint session for the purpose of receiving an address from His Excellency, the Honorable Ted Schwinden, Governor of the State of Montana. Motion carried.

Senator Stephens moved that the President be authorized to appoint a committee of four to notify His Excellency, the Governor, that the Legislature is in joint session and ready to receive his address. Motion carried.

President Turnage appointed Senators Kolstad and Blaylock and Representatives Kemmis and Fagg and they were dismissed from the chamber.

His Excellency Ted Schwinden was escorted to the rostrum.

Reverend Lokensgard gave the invocation.

The Pledge of Allegiance to the Flag by the members followed.

After being presented to the members of both houses by the President of the Senate, Governor Schwinden delivered the following address:

MESSAGE ON PRISONS
TO THE 1982 SPECIAL SESSION OF THE LEGISLATURE
BY GOVERNOR TED SCHWINDEN

June 21, 1982

Mr. President, Mr. Speaker, members of the Legislature — neither crime — nor punishment — are popular topics for legislative discussion, but they are important issues to the public. America's crime rate casts a dark shadow over this land of the free — and Montana is no island of innocence. Crime and the increasing level of imprisonment are forcing us to take a long hard look at our corrections system.... the people in it, and the extent to which it promotes security, punishment and rehabilitation.

On March 24, Montana had a small-scale riot at the State Prison, and it has cost us $170,000 so far. Two years ago, New Mexico had a full-fledged riot that cost that state $36 million. Overcrowding was a factor in both. As long as the public demands that lawbreakers be locked up for longer periods of time, prison populations will increase; so will tensions and the threat of more disturbances.

Montanans deserve protection from crime and from criminals. I want no country club for criminals. I do want a prison system that offers security to the public — and an inmate population level that does not exceed prison capacity. I want a secure prison — a facility that keeps dangerous prisoners behind bars until they have served their time. And, I want a comprehensive corrections program that helps assure that inmates re-enter society with a good chance they will become responsible taxpayers, not repeat offenders. And that is important, because all but a handful of inmates will be released and return to communities after an average prison stay of less than two years.

"Get tough on crime" is the refrain heard these days from one end of this country to the other. From the 1977 Montana Board of Crime Control

public opinion survey on the criminal justice system to the passage of an anti-crime initiative in California this month, Americans are saying "we've had enough." As "NBC Reports" documented in their Saturday evening special, 'for every crime of violence, there is a victim.' And there are far too many victims today. In the Montana survey, 77.1 percent of the respondents agreed that longer, harsher prison sentences would deter persons from committing crimes. While it is arguable that fear of punishment deters crime, longer sentences do dramatically affect prison populations. If the average sentence of convicted felons were to be increased by only 30 days, approximately 70 inmates would be added to our current prison population!

As you deal with the prison issue this week, consider these facts:

FACT: We have 285 inmates housed in two close security units designed to house 192.

FACT: Overcrowding is a factor in prison riots — including the March 24 outbreak at Montana State Prison.

FACT: Prison populations are growing.

FACT: Thirty-eight states, two territories and the District of Columbia are involved in court action or are presently under court order to reduce overcrowding.

It is not enough to close our eyes, grit our teeth and hope we can 'keep the lid' on the Prison. This week, the 47th Legislature has a unique opportunity to act — to isolate the prison issues, and begin to mend the patchwork of fragmented policies that has characterized this state's past response to issues of crime, punishment, and rehabilitation.

We do not need another study to add to the stack that already exists. We certainly do not need another riot, next time with possible death or serious injury. And we do not need a federal court order that would wrest control of our corrections program from us.

Our Administration's proposal reflects the work of the numerous studies done by the legislature, and by groups such as the Montana Justice Project. Our recommendations speak to the issues of overpopulation, of security, rehabilitation, and expanded community release centers — issues that can and should be addressed now. Other correctional issues are not appropriate to this special session. Issues related to sentencing, parole, probation, the women's prison and inmate work programs are important matters of public policy, but they can and should be considered in regular session.

We have proposed a responsible and cost-effective approach to address both short-term and long-term correctional needs. Acting on short-term solutions alone would be shortsighted. Over the past three months I've had an abundance of unsolicited advice, ranging from "Lock 'em up and throw away the key" to "Eliminate all prisons and rehabilitate felons within the communities." A responsible solution lies somewhere between those two positions, and reaching that middle ground will require cooperation. You and I need to set aside partisan and geographical differences in these few days of the special session. After studying the mass of material we've shared with you over the past three months; after discussing it with our constituents and your colleagues; after touring the prison yourselves, you should now be prepared to approach this session with an open and informed mind. And you should conclude this session having made responsible decisions.

The administration responded in a timely manner to the May 24 request of the legislative leadership to make recommendations. The ball is now in your court.

Montanans will be watching us closely. We owe it to the public to provide answers — answers that will allow them to feel secure in their communities — solutions that will also protect the Montanans who are employed in the Montana State Prison. The Wall Street Journal suggested last week that the issue of crime is a major public priority in this country today — a priority that may well be translated into votes at the voting booth this fall. We have an opportunity to demonstrate to Montanans and to the rest of the country that we are willing to face crime and its consequences squarely and take meaningful action to protect our citizens. Let's do the responsible thing. Let's do the right thing. And let's do it now.

Chaplain Moes delivered the benediction.

The Governor was escorted from the chamber.

Senator Stephens moved that the joint session of the 47th Legislature be adjourned. Motion carried.

Joint session adjourned at 11:00 a.m.

House stood at ease.

House resumed.

REPORTS OF STANDING COMMITTEES

JOINT RULES (Stephens, Chairman): 6/18/82

That Special Session I adjourn sine die, do pass. Report adopted.

The deadline for bill drafting be Tuesday noon, June 22, 1982, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Spilker, Chairman): 6/21/82

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this body:

Don Byrd ..... Chief Clerk
Bob White ..... Sergeant-at-Arms
John Moes ..... Chaplain
Rachel Thompson ..... Secretary to Chief Clerk
Wayne Phillips ..... Asst. Chief Clerk
Julia Vogl ..... Journal Clerk
Martha Pool Brass ..... Secretary to Speaker
Denise Thompson ..... Secretary to Majority Leader
Dorothy Ratcliff ..... Asst. Journal Clerk
Joyce Andrus ..... Secretary to Minority Leader
Ed Bell ..... Assistant Sergeant-at-Arms
Chuckie Cramer ..... Assistant Sergeant-at-Arms
Lee Mason ..... Security Guard
Harry Draper ..... Security Guard
Jerry L. Thompson ..... Page
Ellen Calnan ..... Page
Paul Christnacht ..... Page
Leisa Brass ..... Page
Marcia Thompson ..... Page
Lea Cramer ..... Page
Christine Patrosky ..... Page to Speaker
Lynn Antonietti ..... Page to Minority Leader

Matt Brass ..... Adm. Coordinator
Elaine Eck ..... Chief Steno
Jennie Brackman ..... Steno Pool
Vickie Kroll ..... Steno Pool
Janean Meacham ..... Steno Pool
Patricia Bennett ..... Committee Secretary
Vickie Lofthouse ..... Committee Secretary
Cathy Martin ..... Committee Secretary
Maureen Richardson ..... Committee Secretary
Leona Williams ..... Committee Secretary
Jeannie Bryant ..... Aide to Budd Gould

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 1, introduced by Spilker. Referred to Committee on Appropriations.
HB 2, introduced by Moore, (By Request of the Governor). Referred to Committee on Appropriations.
HB 3, introduced by Feda. Referred to Committee on State Administration.
HB 4, introduced by Ellerd. Referred to Committee on State Administration.
HB 5, introduced by Moore, (By Request of the Governor). Referred to Committee on Appropriations.
HB 6, introduced by Harper. Referred to Committee on State Administration.
HB 7, introduced by Menahan, Brand, Manning, Quilici, Kanduch, Harrington, Pavlovich, Haffey, Manley, Lynch, (By Request of the Governor). Referred to Committee on State Administration.
HB 8, introduced by Menahan, Brand, Manning, Quilici, Kanduch, D. Brown, McBride, Teague, Kessler, Pavlovich, Harrington, Lynch, Haffey, Manley, (By Request of the Governor). Referred to Committee on Appropriations.

SPECIAL ORDERS OF THE DAY

The Speaker appointed the following representatives to the following committees:

Representative Cal Winslow - House Appropriations Committee
Representative Jack Ramirez - Judiciary Committee
Representative Budd Gould - State Administration

Representative Fagg moved that the House adjourn until 10:00 a.m., June 22, 1982.

Motion carried.

House adjourned at 11:20 a.m.

Robert L. Marks, Speaker

Don Byrd, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
June 22, 1982

House Chambers
Capitol Building

House convened at 10:20 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Andreason, Conn, Donaldson, Iverson, Nordtvedt, Schultz, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/22/82
Correctly printed: HB 1.

APPROPRIATIONS (Moore, Vice-Chairman): 6/21/82
HB 1, do pass. Report adopted.

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow the introduced copy of HB 1 to be placed on second reading this day. Motion carried.

Representative Fagg moved that the rules be temporarily suspended to allow HB 1, should it pass second reading, to be placed on third reading this same day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 9, introduced by Brand, Ellerd. Referred to Committee on State Administration.
HB 10, introduced by Bergene, Goodover. Referred to Committee on State Administration.
HB 11, introduced by Spilker, Keyser, Moore, Fagg, Marks, Fabrega. Referred to Committee on State Administration.
HB 12, introduced by Keyser, Devlin, Matsko, Curtiss. Referred to Committee on Appropriations.
HJR 1, introduced by Asay, Sivertsen, Manley, Ryan, Boylan. Referred to Committee on Business and Industry.
HJR 2, introduced by Bergene, Goodover. Referred to Committee on State Administration.
HJR 3, introduced by Quilici, Fabrega, Stephens, Stimatz, Lynch. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Seifert in the Chair.

HB 1 - Representative Spilker moved that HB 1 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Brown, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah,

Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Marks, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 88

Noes: Brand, Burnett, Ernst, Keedy, Oberg, Shontz.
Total 6

Excused: Andreason, Conn, Donaldson, Iverson, Nordtvedt, Schultz.
Total 6

Absent or not voting: None.
Total 0

Representative Fagg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Seifert moved the adoption of the committee report. Report adopted. (84-5)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 1 passed as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Matsko, McBride, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Roth, Roush, Ryan, Sales, Seifert, Shelden, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 86

Noes: Brand, Ernst, Keedy, Menahan, Oberg, Shontz.
Total 6

Excused: Andreason, Conn, Donaldson, Iverson, Nordtvedt, Schultz.
Total 6

Absent or not voting: Robbins, Sivertsen.
Total 2

MOTIONS

Representative Fagg moved that the House stand in recess until 4:00 p.m. this day. Motion carried.

House recessed at 10:50 a.m.

House reconvened at 5:20 p.m.

Representatives Iverson and Schultz present at this time.

Representative Ramirez excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/22/82
Correctly printed: HB 2.

APPROPRIATIONS (Moore, Vice-Chairman): 6/22/82
HB 2, introduced bill, be amended as follows:

1. Page 3, line 4.
Following: "operations"
Strike: "967,507"
Insert: "879,376"

2. Page 3, line 12.
Following: "additional"
Strike: "856,303"
Insert: "806,549"

3. Page 3.
Following: line 20
Insert: "Included in the appropriations to the Montana state prison in House Bill 500, of the 1981 legislature, and this act are $493,641 for medical expenses for fiscal year 1983. If medical expenses are less, funds shall revert to the general fund."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Feda, Chairman): 6/22/82
HB 10, introduced bill, be amended as follows:

1. Page 2, line 3.
Following: "maintain"
Insert: "or contract with non-profit organizations to establish and maintain"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow HB 2 to be placed on second reading this day. Motion carried.

Representative Fagg moved that the rules be temporarily suspended to allow HB 2, should it pass second reading, to be placed on third reading this same day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 13, introduced by Ellerd, Brand, Boylan. Referred to Committee on State Administration.
HB 14, introduced by Moore. Referred to Committee on Appropriations.
HJR 4, introduced by Gould, J. O'Hara, Keyser. Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Seifert in the Chair.

HB 2 - Representative Moore moved that HB 2, second reading copy, be amended as follows:

1. Page 3, line 8.
Strike: "$1,022,453"
Insert: "$934,322"

2. Page 4, line 20.
Strike: "$16,398"
Insert: "$14,561"

Representative Waldron excused at this time.

Amendment passed as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Marks, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Underdal, Vincent, Vinger, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 93

Noes: None.
Total 0

Excused: Andreason, Conn, Donaldson, Nordtvedt, Ramirez, Waldron.
Total 6

Absent or not voting: Thoft.
Total 1

Representative Moore moved that HB 2, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Marks, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Quilici, Ramirez, Robbins, Roush, Ryan, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 90

Noes: Daily, Ellerd, Pistoria, Roth, Sales.
Total 5

Paired: Ramirez, Aye; Daily, No.

Excused: Andreason, Conn, Donaldson, Nordtvedt, Waldron.
Total 5

Absent or not voting: None.

Total 0

Representative Fagg moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Seifert moved the adoption of the committee report. Report adopted. (92-2)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 2 passed as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Hara, Pavlovich, Phillips, Quilici, Robbins, Roush, Ryan, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 88

Noes: Daily, Ellerd, O'Connell, Pistoria, Roth, Sales.
Total 6

Excused: Andreason, Conn, Donaldson, Nordtvedt, Ramirez, Waldron.
Total 6

Absent or not voting: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 6/22/82

House bill 1, introduced by Spilker

Representative Fagg moved that the House adjourn until 10:00 a.m., June 23, 1982.

Motion carried.

House adjourned at 6:45 p.m.

Robert L. Marks, Speaker

Don Byrd, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
June 23, 1982

House Chambers
Capitol Building

House convened at 10:20 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Andreason, Briggs, Conn, Harp, Neuman, Nordtvedt, Thoft, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first and second legislative days, find the same to be correct.

Spilker, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/23/82
Correctly printed: HB 5, HB 10.

APPROPRIATIONS (Moore, Vice-Chairman): 6/22/82
HB 5, introduced bill, be amended as follows:

1. Page 2.
Following: line 21
Insert: "Section 6. Long Range Building reappropriation. The unexpended balance of the appropriation for construction of a guard tower at Montana State Prison, in HB 837, regular session of the 47th Legislature, is reappropriated for purposes of this act and is to be used to reduce the general fund appropriation in section 5."
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill passed as amended and transmitted to the House for concurrence: 6/23/82

Senate bill 1, introduced by Turnage, Stephens, Kolstad, Smith

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow HB 10 to be placed on second reading and that the rules be further suspended to allow HB 10, should it pass second reading, to be placed on third reading this same day. Motion failed as follows:

Ayes: Anderson, Asay, Bennett, Bergene, Bertelsen, Burnett, Conroy, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kitselman, Kropp, Lory, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 51

Noes: Abrams, Azzara, Bardanouve, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Kemmis, Kennerly, Kessler, Manning, Manuel, Menahan, Metcalf, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici,

Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 39

Excused: Andreason, Briggs, Conn, Harp, Neuman, Nordtvedt, Thoft.
Total 7

Absent or not voting: Curtiss, Keedy, McBride.
Total 3

After considerable debate, Representative Kemmis moved that the House reconsider its action on Representative Fagg's motion to suspend the rules on HB 10. Motion carried. Thereupon, Representative Fagg's motion to suspend the rules to place HB 10 on second and third reading this day carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 15, introduced by Kitselman. Referred to Committee on Judiciary.
HB 16, introduced by Moore. Referred to Committee on Appropriations.
HB 17, introduced by Winslow, Iverson, Burnett, Kolstad, Keyser, Fabrega, Holliday, Fagg, Ramirez, Stobie, J. Ryan, Underdal, Conroy, Asay, Roush, Vinger. Referred to Committee on Business and Industry.
HB 18, introduced by Keedy, Anderson, Vincent, Donaldson, Metcalf, Fabrega, Gould, Hemstad, Harper, Dussault, Bardanouve, Kessler, Ramirez. Referred to Committee on Business and Industry.
HB 19, introduced by Eudaily, Marks, Keedy, Anderson. Referred to Committee on Business and Industry.

The following Senate bill was introduced, read first time, and referred to committee:

SB 1, introduced by Turnage, Stephens, Kolstad, Smith. Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

Representatives Harp and Neuman present at this time.

HB 10 - Representative Feda moved that HB 10, second reading copy, be amended.

Representative Kemmis moved that the pairs submitted on Representative Feda's amendment of HB 10 be stricken.

Representative Dussault moved that the House stand in recess subject to the call of the Chair in order for the Rules Committee to meet regarding the propriety of the motion made by Representative Kemmis. Motion carried.

House recessed at 11:35 a.m.

House reconvened at 12:00 noon.

By decision of the Rules Committee the Chair ruled Representative Kemmis' motion out of order. The pairs in question on Representative Feda's amendment on HB 10 were withdrawn. Thereupon, Representative Feda's motion to amend HB 10 failed as follows:

Ayes: Andreason, Asay, Bengtson, Briggs, Burnett, Conroy, Devlin, Donaldson, Ellerd, Ellison, Fagg, Feda, Gould, Hannah, Hurwitz, Iverson, Keyser, Kitselman, Marks, McLane, Moore, Mueller, O'Hara, Phillips, Ramirez, Ryan, Sales, Seifert, Shontz, Smith, Solberg, Spilker, Stobie, Switzer, Vinger, Winslow.
Total 36

Noes: Abrams, Anderson, Azzara, Bennett, Bergene, Bertelsen, Brand, Brown, Curtiss, Daily, Dozier, Dussault, Ernst, Eudaily, Fabrega, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Jacobsen, Jensen, Keedy, Kemmis, Kennerly, Kessler, Kropp, Lory, Manning, Manuel, Matsko, McBride, Metcalf, Meyer, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roth, Roush, Schultz, Shelden, Sivertsen, Teague, Underdal, Vincent, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 58

Paired: Andreason, Briggs, Ayes; Bergene, Harper, Noes.

Excused: Conn, Nordtvedt, Thoft.
Total 3

Absent or not voting: Bardanouve, Kanduch, Menahan.
Total 3

Representative Hannah moved that HB 10, second reading copy, be further amended. Amendment failed as follows:

Ayes: Anderson, Asay, Brown, Burnett, Conroy, Fagg, Feda, Hannah, Jensen, Keyser, Kitselman, Kropp, McLane, Moore, O'Hara, Ramirez, Ryan, Sales, Sivertsen, Stobie, Switzer, Underdal, Vinger, Winslow.
Total 24

Noes: Abrams, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Curtiss, Daily, Devlin, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Gould, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Lory, Manning, Manuel, Marks, Matsko, McBride, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, Pavlovich, Phillips, Pistoria, Quilici, Robbins, Roush, Schultz, Seifert, Shelden, Shontz, Smith, Solberg, Teague, Vincent, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 68

Excused: Andreason, Briggs, Conn, Nordtvedt, Thoft.
Total 5

Absent or not voting: O'Connell, Roth, Spilker.
Total 3

Representative Meyer moved that HB 10, second reading copy, be further amended. Amendment failed as follows:

Ayes: Asay, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Daily, Devlin, Ellerd, Ernst, Fabrega, Hannah, Hemstad, Iverson, Jacobsen, Keedy, Keyser, Kropp, Manning, McLane, Menahan, Meyer, Neuman, Nilson, O'Connell, O'Hara, Pistoria, Ryan, Sales, Seifert, Sivertsen, Stobie, Switzer, Teague, Underdal, Vinger, Winslow.

Total 38

Noes: Abrams, Anderson, Azzara, Bardanouve, Bengtson, Bergene, Brown, Donaldson, Dozier, Dussault, Ellison, Eudaily, Fagg, Feda, Gould, Hanson, Harp, Harrington, Hart, Holliday, Huennekens, Hurwitz, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manuel, Marks, Matsko, McBride, Metcalf, Moore, Mueller, Oberg, Pavlovich, Phillips, Ramirez, Robbins, Roth, Roush, Schultz, Shelden, Shontz, Smith, Solberg, Spilker, Vincent, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 55

Excused: Andreason, Briggs, Conn, Nordtvedt, Thoft.
Total 5

Absent or not voting: Harper, Quilici.
Total 2

Representative Bergene moved that HB 10 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Burnett, Conroy, Devlin, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Lory, Manning, Manuel, Marks, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Hara, Phillips, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Switzer, Teague, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 81

Noes: Bennett, Brown, Curtiss, Daily, Ellerd, Harp, Kropp, O'Connell, Pavlovich, Pistoria, Quilici, Seifert, Stobie.
Total 13

Excused: Andreason, Briggs, Conn, Nordtvedt, Thoft.
Total 5

Absent or not voting: Harrington.
Total 1

Representative Fagg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (87-7)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 10 passed as follows:

Ayes: Abrams, Anderson, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Conroy, Devlin, Donaldson, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Hara, Phillips, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Shelden, Shontz,

Sivertsen, Smith, Solberg, Spilker, Switzer, Teague, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 81

Noes: Bennett, Brown, Burnett, Curtiss, Daily, Ellerd, Harp, Kropp, O'Connell, Pavlovich, Pistoria, Quilici, Seifert, Stobie.
Total 14

Excused: Andreason, Briggs, Conn, Nordtvedt, Thoft.
Total 5

Absent or not voting: None.
Total 0

Representative Fagg moved that the House stand in recess until 4:00 p.m. Motion carried.

House recessed at 12:40 p.m.

House reconvened at 4:40 p.m.

Representatives Briggs and Thoft present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/23/82
Correctly printed: HB 8.
Correctly enrolled: HB 1.
Examined by the sponsor (Spilker) and found to be correct: HB 1.
Signed by the Speaker at 4:23 p.m., 6/23/82: HB 1.

APPROPRIATIONS (Moore, Vice-Chairman): 6/23/82
HB 12, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Bardanouve, Bennett, Bertelsen, Briggs, Burnett, Conroy, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gould, Hannah, Hanson, Harp, Harper, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Kennerly, Kitselman, Kropp, Lory, Manuel, Matsko, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Phillips, Pistoria, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Waldron, Wallin, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 61

Noes: Abrams, Azzara, Bengtson, Brand, Brown, Curtiss, Daily, Devlin, Dozier, Dussault, Harrington, Hart, Hemstad, Holliday, Kanduch, Kemmis, Kessler, Keyser, Manning, McBride, McLane, Menahan, Metcalf, Pavlovich, Quilici, Ramirez, Roush, Shelden, Teague, Vinger, Williams.
Total 31

Excused: Andreason, Conn, Nordtvedt.
Total 3

Absent or not voting: Anderson, Asay, Bergene, Feda, Sivertsen.
Total 5

HB 8, do pass. Report adopted.

BUSINESS AND INDUSTRY (Fabrega, Chairman): 6/23/82
HB 18, do pass. Report adopted.
HB 19, do pass. Report adopted.

JUDICIARY (Keyser, Chairman): 6/23/82

HJR 4, do pass. Report adopted.

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow HB 5 and HB 8 to be placed on second reading this day. Motion carried.

Representative Moore moved that HB 18 and HB 19 be taken from printing and referred to the Committee on Appropriations. Motion carried.

Representative Kanduch excused at this time.

Representative Ellerd moved that HB 13 be taken from the Committee on State Administration and printed and placed on second reading. Motion carried. (50-43)

Representative Moore moved that HB 11 be taken from printing and referred to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 20, introduced by Keedy, Bergene, Anderson, Hemstad, Fabrega, Metcalf, Donaldson, Dussault, Quilici, Ramirez, Harper, Vincent, Gould. Referred to Committee on Appropriations.

HB 21, introduced by Marks, Stephens, Stimatz, Jacobson, Lee. Referred to Committee on State Administration.

HB 22, introduced by Keedy, D. Brown, Fabrega, Gould. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

Representative Anderson excused at this time.

HB 5 - Representative Moore moved that HB 5, second reading copy, be amended as follows:

1. Page 3.
Following: line 14
Insert: "Industries fence security improvement"

2. Page 3.
Following: line 15
Strike: "$397,100"
Insert: "$579,100"

3. Page 3.
Following: line 15
Insert: "The amount of $182,000 appropriated for the industries fence security improvement is for materials only. Construction will be accomplished utilizing prison labor."

Amendment passed as follows:

Ayes: Abrams, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Briggs, Burnett, Conroy, Daily, Devlin, Donaldson, Ellerd, Ellison,

Ernst, Eudaily, Fabrega, Fagg, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Marks, Matsko, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, O'Hara, Phillips, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Wallin, Williams, Winslow.
Total 75

Noes: Azzara, Brown, Dozier, Harper, Harrington, Keedy, Kemmis, McBride, Nilson, Oberg, Pistoria, Waldron, Yardley, Zabrocki.
Total 14

Excused: Anderson, Andreason, Conn, Kanduch, Nordtvedt.
Total 5

Absent or not voting: Curtiss, Dussault, Feda, Hart, O'Connell, Pavlovich.
Total 6

Representative Moore moved that HB 5, second reading copy, be further amended. Amendment failed as follows:

Ayes: Bennett, Bergene, Brand, Briggs, Curtiss, Daily, Devlin, Ellison, Fagg, Gould, Hanson, Hemstad, Holliday, Iverson, Keyser, Kitselman, Lory, Marks, Matsko, McLane, Moore, Nilson, Phillips, Quilici, Ramirez, Seifert, Sivertsen, Smith, Spilker, Switzer, Teague, Vinger.
Total 32

Noes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bertelsen, Brown, Burnett, Conroy, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Hannah, Harp, Harper, Harrington, Hart, Huennekens, Hurwitz, Jacobsen, Jensen, Keedy, Kemmis, Kennerly, Kessler, Kropp, Manning, Manuel, McBride, Menahan, Metcalf, Meyer, Mueller, Neuman, Oberg, O'Connell, O'Hara, Pistoria, Robbins, Roth, Roush, Ryan, Sales, Schultz, Shelden, Shontz, Solberg, Stobie, Thoft, Underdal, Vincent, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 60

Excused: Anderson, Andreason, Conn, Kanduch, Nordtvedt.
Total 5

Absent or not voting: Donaldson, Feda, Pavlovich.
Total 3

House stood at ease at 5:35 p.m.

House resumed at 5:50 p.m.

Representative Donaldson excused at this time.

Representative Marks moved that Representative Moore's first amendment to HB 5, second reading copy, be stricken because of a technical error made in drafting the amendment. Motion carried.

Representative Moore moved that HB 5, second reading copy, be amended as follows:

1. Page 2, line 20.
Strike: "$397,100"
Insert: "$579,100"

2. Page 3.

Strike: line 15
Insert: "Industries fence security improvement $182,000"

3. Page 3.
Strike: line 16
Insert: "TOTAL MONTANA STATE PRISON $579,100

The amount of $182,000 appropriated for the industries fence security improvement is for materials only. Construction will be accomplished utilizing prison labor."

4. Page 3.
Strike: line 17
Insert: "Section 8. Effective date. This act is effective on passage and approval."

Amendment passed as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keyser, Kitselman, Kropp, Lory, Manuel, Marks, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.
Total 60

Noes: Azzara, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Keedy, Kemmis, Kennerly, Kessler, Manning, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 37

Paired: Anderson, Andreason, Donaldson, Ayes; O'Connell, Williams, Yardley, Noes.

Excused: Conn, Kanduch, Nordtvedt.
Total 3

Absent or not voting: None.
Total 0

Representative Moore moved that HB 5, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Keyser, Kitselman, Kropp, Lory, Manuel, Marks, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Nilson, O'Hara, Phillips, Ramirez, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Winslow.
Total 69

Noes: Azzara, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Huennekens, Kanduch, Kemmis, Kennerly, Kessler, Manning, McBride, Menahan, Neuman, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Shelden, Teague, Williams, Yardley, Zabrocki.
Total 29

Paired: Anderson, Andreason, Donaldson, Ayes; Menahan, Pavlovich, Yardley, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

HB 8 - Representative Menahan moved that HB 8 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Brown, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 86

Noes: Bennett, Marks, Moore, Sales, Stobie, Winslow.
Total 6

Excused: Anderson, Andreason, Conn, Donaldson, Nordtvedt.
Total 5

Absent or not voting: Burnett, Jensen, Ryan.
Total 3

Representative Fagg moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (81-11)

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow HB 5 and HB 8 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 5 passed as follows:

Ayes: Abrams, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Keyser, Kitselman, Kropp, Lory, Manuel, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Nilson, O'Hara, Phillips, Ramirez, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Winslow, Mr. Speaker.
Total 66

Noes: Azzara, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Huennekens, Kanduch, Kemmis, Kennerly, Kessler, Manning,

McBride, Menahan, Neuman, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Shelden, Teague, Williams, Yardley, Zabrocki.
Total 29

Excused: Anderson, Andreason, Conn, Donaldson, Nordtvedt.
Total 5

Absent or not voting: None.
Total 0

HB 8 passed as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Kropp, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 91

Noes: Bennett, Moore, Sales, Stobie.
Total 4

Excused: Anderson, Andreason, Conn, Donaldson, Nordtvedt.
Total 5

Absent or not voting: None.
Total 0

Representative Fagg moved that the House adjourn until 10:00 a.m., June 24, 1982.

Motion carried.

House adjourned at 7:05 p.m.

Robert L. Marks, Speaker

Don Byrd, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
June 24, 1982

House Chambers
Capitol Building

House convened at 10:20 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Anderson, Andreason, Conn, Donaldson, Kropp, Nordtvedt, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/24/82
Correctly printed: HB 11, HB 13, HJR 4.
Delivered to the Governor for his approval at 4:52 p.m., 6/23/82: HB 1.

APPROPRIATIONS (Moore, Vice-Chairman): 6/24/82
HB 16, introduced bill, be amended as follows:

1. Title, line 7.
Following: "FENCE;"
Insert: "ESTABLISHING AN EXEMPTION TO ALLOW FOR TIMELY CONSTRUCTION AND A SOLE SOURCE PURCHASE;"

2. Page 1, line 22.
Following: "erection of"
Strike: "new"
Following: "units"
Insert: "and associated facilities. Erection and construction will utilize prison labor"

3. Page 1, line 22 through line 1 on page 2.
Following: "units"
Strike: remainder of subsection (2) in its entirety

4. Page 2.
Following: line 1
Insert: "Section 2. Exemptions to facilitate timely construction — sole source purchase allowed. For the purpose of expediting the acquisition and construction of housing units authorized in [section 1] the department of administration may exempt the project from provisions of Montana law relating to the employment of architects, advertising, labor, and wages. The department of administration need not comply with any state bidding requirements that would preclude a sole source purchase."
Renumber: subsequent sections

5. Page 2, line 9.
Following: "institutions"
Strike: "$500,000"
Insert: "$130,000"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Feda, Chairman): 6/23/82
HB 4, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Briggs, Burnett, Conroy, Devlin, Dozier, Dussault, Ellison, Ernst, Eudaily,

Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harper, Hart, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Lory, Manuel, Matsko, McBride, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, Oberg, O'Connell, Phillips, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Schultz, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Switzer, Thoft, Underdal, Vinger, Waldron, Wallin, Williams, Yardley, Zabrocki, Mr. Speaker.
Total 72

Noes: Bergene, Brand, Brown, Curtiss, Daily, Ellerd, Harp, Harrington, Hemstad, Keedy, Manning, Menahan, Nilson, Pavlovich, Pistoria, Sales, Seifert, Stobie, Teague, Vincent, Winslow.
Total 21

Excused: Anderson, Andreason, Conn, Donaldson, Kropp, Nordtvedt.
Total 6

Absent or not voting: O'Hara.
Total 1

HB 6, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kitselman, Lory, Matsko, McBride, McLane, Meyer, Moore, Mueller, O'Connell, Pavlovich, Phillips, Quilici, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 62

Noes: Azzara, Bardanouve, Brand, Brown, Daily, Dozier, Harper, Harrington, Hart, Huennekens, Keedy, Kemmis, Manning, Manuel, Menahan, Metcalf, Neuman, Nilson, Oberg, Pistoria, Ramirez, Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 31

Excused: Anderson, Andreason, Conn, Donaldson, Kropp, Nordtvedt.
Total 6

Absent or not voting: O'Hara.
Total 1

HB 9, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Conroy, Devlin, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harper, Hart, Holliday, Huennekens, Hurwitz, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Keyser, Kitselman, Lory, Manuel, Matsko, McBride, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, Phillips, Ramirez, Roth, Roush, Ryan, Sales, Schultz, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 71

Noes: Brand, Brown, Burnett, Curtiss, Daily, Ellerd, Harp, Harrington, Hemstad, Iverson, Keedy, Manning, McLane, Menahan, Pavlovich, Pistoria, Quilici, Robbins, Seifert, Stobie, Teague, Wallin.

Total 22

Excused: Anderson, Andreason, Conn, Donaldson, Kropp, Nordtvedt.
Total 6

Absent or not voting: O'Hara.
Total 1

HB 11, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Strike: "SPECIAL SELECT COMMITTEE"
Insert: "FACT-FINDING TASK FORCE"

2. Title, line 8.
Strike: "COMMITTEE"
Insert: "TASK FORCE"

3. Title, line 9.
Strike: "COMMITTEE"
Insert: "TASK FORCE"

4. Page 1, line 16 through line 7 on page 2.
Strike: line 16 on page 1 through line 7 on page 2 in their entirety

5. Page 2, line 9.
Following: "Alternatives"
Strike: "Committee"
Insert: "Task Force"

6. Page 2, line 11.
Strike: "committee"
Insert: "task force"

7. Page 2, lines 12 through 19.
Strike: lines 12 through 19 in their entirety
Insert: "WHEREAS, the legislature has received inconsistent advice and information relating to what really ought to be done to solve corrections problems in Montana; and"

8. Page 3, line 13.
Following: "ethic"
Insert: "and which better utilize facilities such as the prison ranch"

9. Page 3, line 20.
Following: "general;"
Strike: "and"
Following: line 20
Insert: "(6) adequate training programs for the prison staff; and"

10. Page 3, line 25 through line 1 on page 4.
Strike: "special select committee"
Insert: "fact-finding task force"

11. Page 4, line 6.
Strike: "Special select committee"
Insert: "Fact-finding task force"

12. Page 4, lines 7 and 8.
Strike: "a 12-member special select committee"
Insert: "an 8-member fact-finding task force"

13. Page 4, line 9.
Strike: "committee"

Insert: "task force"

14. Page 4, line 12.
Strike: "six"
Insert: "four"

15. Page 4, line 13.
Strike: "committee"
Insert: "task force"
Strike: "three"
Insert: "two"

16. Page 4, line 14.
Strike: "committee"
Insert: "task force"

17. Page 4, lines 14 through 17.
Following: "party."
Strike: "At" through line 17 in its entirety

18. Page 4, lines 18 and 19.
Following: "(b)"
Strike: the remainder of line 18 through "the" on line 19
Insert: "The"

19. Page 4, line 20.
Strike: "six"
Insert: "four"
Strike: "committee"
Insert: "task force"

20. Page 4, line 21.
Strike: "three"
Insert: "two"

21. Page 4, lines 22 through 24.
Following: "party."
Strike: the remainder of lines 22 through 24 in their entirety

22. Page 5, line 4.
Strike: "Special select committee"
Insert: "Task force"

23. Page 5, line 5.
Strike: "special select committee"
Insert: "task force"

24. Page 5, line 10.
Strike: "committee"
Insert: "task force"

25. Page 5, line 18.
Strike: "committee"
Insert: "task force"

26. Page 5, line 20.
Strike: "committee"
Insert: "task force"

27. Page 5, line 22.
Strike: "special select committee"
Insert: "task force"

28. Page 5, line 23.

Strike: "committee"
Insert: "task force"

29. Page 5, line 24.
Strike: "Committee"
Insert: "Task force"

30. Page 6, line 1.
Strike: "committee"
Insert: "task force"

31. Page 6, line 2.
Strike: "committee"
Insert: "task force"

32. Page 6, line 3.
Strike: "committee"
Insert: "task force"

33. Page 6, line 6.
Strike: "_____"
Insert: "35,000"

34. Page 6, line 7.
Strike: "special select committee"
Insert: "fact-finding task force"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 6/24/82

House bill 10, introduced by Bergene

Senate bill passed and transmitted to the House for concurrence: 6/24/82

Senate bill 5, introduced by Van Valkenburg

MOTIONS

Representative Moore moved that HB 11 be taken from printing and referred to the Committee on Appropriations. Motion carried.

Representative Ramirez excused at this time.

Representative Quilici moved that HJR 3 be taken from the Committee on State Administration and placed on second reading this day. Motion carried. (56-33)

Representative Fagg moved that the House stand in recess until a call of the Chair. Motion carried.

House recessed at 10:55 a.m.

House reconvened at 11:50 a.m.

SPECIAL ORDERS OF THE DAY

The following resolution was read to the House in deep appreciation for Roberta Moody who is leaving her position as Director of the Legislative Services Division of the Legislative Council.

A COLLECTIVE RESOLUTION OF THE SENATE, THE HOUSE OF REPRESENTATIVES, AND THE LEGISLATIVE COUNCIL STAFF OF

THE STATE OF MONTANA BIDDING A FOND ADIEU TO ROBERTA (BOBBI) MOODY, SOON TO BE LATE DIRECTOR OF THE LEGISLATIVE SERVICES DIVISION OF THE COUNCIL.

WHEREAS, Roberta (Bobbi) Moody has opted to trade her job as director of Legislative Services for rural retirement; and

WHEREAS, she has recently indicated a preference for pushing cows rather than pushing bills; and

WHEREAS, ten (10) years of supervising Council staff most certainly qualify her to supervise chickens, pigs, and horses; and

WHEREAS, she professes to love plants (although she neglects to water them) so sees fit to move to the ranch where she can water plants in a really big way; and

WHEREAS, she hates to make turkey stitches on embroidery work but loves to make turkey dinners; and

WHEREAS, regular and special sessions seem to interfere with craft projects, hiking, rafting, and dieting; and

WHEREAS, Roberta will be sorely missed by all who have worked with her at the office of Superintendent of Public Instruction, on the Constitutional Convention staff, and at the Legislative Council.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES, AND THE LEGISLATIVE COUNCIL STAFF OF THE STATE OF MONTANA:

That we wish Roberta health and happiness in her new life as a rider of the purple sage.

I hereby certify that the
within resolution originated
in the Council.

Diana S. Dowling
Chief Scribe

Robert L. Marks
Speaker of the House
Signed this 24th day
of June, 1982.

Jean A. Turnage
President of the Senate
Signed this 24th day
of June, 1982.

Representative Spilker moved that the resolution be entered in the journal this day with tender loving care. Motion carried unanimously.

The Speaker thanked Roberta for her many years of dedicated service and gave her best wishes for the future. He then announced a reception in the House lobby to be held following recess.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 5, introduced by Van Valkenburg. Referred to Committee on Judiciary.

MOTIONS

Representative Spilker moved that the House stand in recess until 3:00 p.m. this day. Motion carried.

House recessed at 12:00 noon.

House reconvened at 3:05 p.m.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Moore, Vice-Chairman): 6/24/82
HB 11, introduced bill, be amended as follows:

1. Page 6, line 15.
Following: line 14
Strike: "shall"
Insert: "may"

2. Page 6, line 25.
Following: "terminates"
Strike: "January"
Insert: "March"

And, as amended, do pass. Report adopted.

HB 19, do pass. Report adopted. 6/23/82

JUDICIARY (Keyser, Chairman): 6/24/82
SB 5, be concurred in. Report adopted.

MOTIONS

Representative Fagg moved that the House stand in recess until 3:30 p.m. this day. Motion carried.

House recessed at 3:07 p.m.

House reconvened at 3:55 p.m.

Representatives Anderson and Ramirez present at this time.

Representatives Fagg, Keyser and Sales excused at this time.

Representative Ellerd moved that HB 11 be placed below HB 13 on the second reading board this day. Motion carried.

Representative Menahan moved that HB 7 be taken from the Committee on State Administration and printed and placed on second reading this day. Motion failed as follows:

Ayes: Abrams, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.

Total 43

Noes: Anderson, Andreason, Asay, Bennett, Bergene, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kitselman, Kropp, Lory, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 55

Paired: Azzara, Harrington, Holliday, Kemmis, Menahan, Nilson, Teague, Ayes; Andreason, Donaldson, Fagg, Hannah, Keyser, Moore, Sales, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

Representative Spilker moved that the rules be temporarily suspended to allow Senate amendments to HB 10, HB 11, HB 13, HB 16, HB 19, HJR 4 and SB 5 to be placed on second reading this day. Motion failed as follows:

Ayes: Anderson, Asay, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jensen, Keedy, Kitselman, Kropp, Lory, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Roth, Ryan, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 52

Noes: Abrams, Azzara, Bardanouve, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harper, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Kemmis, Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 39

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt, Sales.
Total 7

Absent or not voting: Harrington, Teague.
Total 2

Representative Spilker moved that the House adjourn until 10:00 a.m., June 25, 1982. After some discussion, Representative Kemmis moved for a call of the House. The Chair ruled Representative Kemmis' motion out of order because the vote to adjourn had been announced.

House stood at ease at 4:15 p.m.

House resumed at 5:00 p.m.

The Speaker's decision was sustained as follows:

Ayes: Anderson, Asay, Bennett, Bergene, Briggs, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Hemstad, Hurwitz, Iverson, Jensen, Kitselman, Lory, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Roth, Ryan,

Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 48

Noes: Abrams, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Brown, Daily, Dozier, Dussault, Harp, Harper, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 43

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt, Sales.
Total 7

Absent or not voting: Harrington, Kropp.
Total 2

House adjourned at 5:00 p.m.

Robert L. Marks, Speaker

Don Byrd, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
June 25, 1982

House Chambers
Capitol Building

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Andreason, Conn, Keyser, Nordtvedt, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

Spilker, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/24/82
Correctly printed: HB 16, HB 19, HJR 3.

APPROPRIATIONS (Moore, Vice-Chairman): 6/23/82
HB 18, as amended, do not pass. Representative Moore moved the adoption of the adverse committee report. Representative Keedy made a substitute motion that HB 18 be printed and placed on second reading. Motion carried as follows:

Ayes: Abrams, Anderson, Asay, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Curtiss, Daily, Donaldson, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Kropp, Lory, Manning, Manuel, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Schultz, Seifert, Shelden, Shontz, Sivertsen, Spilker, Teague, Underdal, Vincent, Waldron, Williams, Yardley, Zabrocki, Mr. Speaker.
Total 77

Noes: Bennett, Conroy, Devlin, Hannah, Hurwitz, Matsko, Moore, Quilici, Ryan, Sales, Smith, Solberg, Stobie, Switzer, Thoft, Vinger, Wallin, Winslow.
Total 18

Excused: Andreason, Conn, Keyser, Nordtvedt.
Total 4

Absent or not voting: Azzara.
Total 1

BUSINESS AND INDUSTRY (Fabrega, Chairman): 6/24/82
HB 17, introduced bill, be amended as follows:

1. Title, line 5.
Following: "REPAIR OF"
Insert: "THE"

2. Title, line 6.
Following: line 5
Strike: "INSTITUTIONS"
Insert: "PRISON"

3. Page 1, line 13.
Following: "Section 1."
Strike: "Institution"
Insert: "Prison"

4. Page 1, line 19.
Following: "services"
Strike: "; and"
Insert: "."

5. Page 1, lines 20 and 21.
Following: line 19
Strike: subsection (3) in its entirety

6. Page 2, line 1.
Following: "state"
Strike: "institutions"
Insert: "prison"

And, as amended, do pass. Report adopted.

SB 1, third reading copy, be amended as follows:

1. Statement of intent, line 7.
Following: "Section 1."
Insert: "(1)"

2. Statement of intent.
Following: line 9
Strike: "(1)"
Insert: "(a)"

3. Statement of intent.
Following: line 11
Strike: "(2)"
Insert: "(b)"

4. Statement of intent.
Following: line 12
Strike: "(3)"
Insert: "(c)"

5. Statement of intent.
Following: line 16
Strike: "(4)"
Insert: "(d)"

6. Statement of intent.
Following: line 17
Insert: "(e)"

7. Statement of intent.
Following: line 19
Insert: "(2) The legislature intends that this program will not compete in any significant way with Montana businesses established and operating prior to the program, and will not displace workers covered by a collective bargaining agreement."

8. Title, line 10.
Following: "ENTITIES"
Insert: "APPROPRIATING FUNDING FOR THE ESTABLISHMENT OF THE PROGRAM;"

9. Page 3, line 22.

Following: "for"
Insert: "products or services produced by"

10. Page 5.
Following: line 4
Insert: "(d) Able-bodied persons committed to the Montana State Prison as adult offenders shall be required to perform work as provided for by the department of institutions."

11. Page 5, line 6.
Following: "program"
Insert: "and shall report to the legislature its continuing plans and recommendations in implementing this program"

12. Page 5.
Following: line 15
Insert: "Section 2. Appropriation. There is appropriated from the general fund to the department of institutions $26,325 to establish the prison vocational industries program."
Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SPECIAL ORDERS OF THE DAY

Representative Jacobsen rose on a privilege of the House and read the following memorial statement:

Mr. Speaker, fellow representatives and guests:

I take this occasion to briefly memorialize Harry K. Loucks, an early day pioneer of Northeastern Montana, a good neighbor and friend, who passed away this week at the age of 100 years.

Harry was born April 17, 1882 in Fillmore County, Minnesota. In 1908 he and his bride Vannice filed on their homestead in Sheridan County where they remained continuous residents. Here, they farmed their homestead, raised four sons and two daughters and served their community and state for three-quarters of a century.

Harry was one of the first J.P.'s in the area and is fondly remembered for his honest and judicious style of justice. He was also the Chairman of the first Board of County Commissioners when Sheridan County was created in 1913. For twenty-six years, from 1926 until 1952, he served as our rural mail carrier. He and his wife also shared in the establishment of the Methodist Church of Redstone, Montana — which is still in operation.

Harry Loucks represents the very real spirit of the Montana homesteader — frequently dubbed honyocker, nester, scissorbill and sodbuster — in Homeric style, they endured wind, hail, dust, grass fires, grasshoppers, bank failures, sheriff sales, depression and devastating drought.

Harry Loucks was truly a man for all seasons. He will be missed.

Representative Jacobsen moved that the above statement be placed in the journal this day. Motion carried.

MOTIONS

Representative Menahan moved that the House reconsider its action on failing to place HB 7 on second reading yesterday. Motion failed as follows:

Ayes: Abrams, Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 43

Noes: Anderson, Andreason, Asay, Bennett, Bergene, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jensen, Keyser, Kitselman, Kropp, Lory, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 55

Paired: Hart, Metcalf, Ayes; Andreason, Keyser, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

Representative Moore moved that SB 1 which passed out of the Committee on Business and Industry today be referred to the Committee on Appropriations. Motion carried.

Representative Fagg moved that the rules be temporarily suspended to allow HJR 3 to be placed on second reading this day. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 23, introduced by Towe, Eck, Harper. Referred to Committee on State Administration.
HB 24, introduced by Towe, Ryan, Eck, Van Valkenburg, Harper. Referred to Committee on Appropriations.
HB 25, introduced by Towe, Van Valkenburg, Eck, Feda, Harper. Referred to Committee on State Administration.

MOTIONS

Representative Fagg moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 12:10 p.m.

House reconvened at 1:35 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/25/82
Correctly printed: HB 17, HB 18.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Seifert in the Chair.

Representatives Donaldson, Fagg and Moore excused at this time.

HJR 4 - Representative Gould moved that HJR 4 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Asay, Bennett, Bergene, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kitselman, Kropp, Lory, Marks, Matsko, McLane, Meyer, Mueller, Pavlovich, Phillips, Quilici, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.
Total 57

Noes: Azzara, Bardanouve, Bengtson, Bertelsen, Brand, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Kemmis, Kennerly, Kessler, Manuel, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pistoria, Robbins, Roush, Shelden, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 33

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Moore, Nordtvedt.
Total 7

Absent or not voting: Keedy, Manning, Teague.
Total 3

Representative Moore present at this time.

HB 10 - Representative Bergene moved that Senate amendments to HB 10 be not concurred in. Motion carried as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Conroy, Daily, Dozier, Dussault, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hanson, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, Marks, Matsko, McBride, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, Pavlovich, Phillips, Quilici, Ramirez, Robbins, Roush, Schultz, Seifert, Shelden, Shontz, Sivertsen, Solberg, Teague, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 69

Noes: Anderson, Bennett, Brown, Burnett, Curtiss, Devlin, Ellerd, Hannah, Harp, Hurwitz, Kropp, McLane, Menahan, O'Connell, O'Hara, Pistoria, Roth, Ryan, Sales, Smith, Spilker, Stobie, Switzer, Thoft, Winslow.
Total 25

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: None.
Total 0

HB 13 - Representative Ellerd moved that HB 13 do pass. Motion carried as follows:

Ayes: Anderson, Bennett, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Fabrega, Gould, Harp, Harrington, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Kropp, Lory, Manning, McLane, Menahan, Meyer, Neuman, Nilson, O'Hara, Pavlovich,

Pistoria, Quilici, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Smith, Solberg, Stobie, Switzer, Teague, Thoft, Underdal, Vinger, Wallin.
Total 50

Noes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Dozier, Dussault, Eudaily, Feda, Hannah, Hanson, Harper, Hart, Holliday, Huennekens, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Manuel, Marks, Matsko, McBride, Metcalf, Moore, Mueller, Oberg, O'Connell, Phillips, Ramirez, Roush, Shelden, Shontz, Sivertsen, Spilker, Vincent, Waldron, Williams, Winslow, Yardley, Zabrocki.
Total 44

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: None.
Total 0

HB 11 - Representative Spilker moved that HB 11, second reading copy, be amended as follows:

1. Page 5, line 4.
Following: "~~of the~~"
Insert: "The committee on committees of the"

Amendment passed as follows:

Ayes: Abrams, Anderson, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brown, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Kropp, Lory, Manning, Manuel, Marks, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 87

Noes: None.
Total 0

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: Azzara, Brand, Briggs, Burnett, Keedy, O'Connell, Shelden.
Total 7

Representative Dussault moved that HB 11, second reading copy, be further amended as follows:

1. Page 2, lines 22 through 25.
Following: "~~and~~" on line 22
Strike: lines 22 through 25 in their entirety

Amendment passed as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Brown, Conroy, Dozier, Dussault, Eudaily, Gould, Hannah, Hanson, Harper, Harrington, Hart, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly,

Kessler, Lory, Manning, Manuel, McBride, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Robbins, Roth, Roush, Ryan, Shontz, Sivertsen, Spilker, Stobie, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 62

Noes: Anderson, Briggs, Burnett, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Feda, Harp, Hemstad, Kitselman, Kropp, Matsko, McLane, Moore, Ramirez, Sales, Schultz, Seifert, Smith, Solberg, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.
Total 29

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: Fabrega, Marks, Shelden.
Total 3

Representative Ellerd moved that HB 11, second reading copy, be further amended as follows:

1. Page 6, line 4.
Following: "necessary;"
Strike: "and"

2. Page 6, line 8.
Following: "recommend"
Strike: "."
Insert: "; and"
Following: line 8
Insert: "(e) direct the legislative council to contract, within existing appropriations, with an independent consultant to prepare an estimate for submission to the 48th legislature of the costs of renovating the old territorial Montana state prison in downtown Deer Lodge, Montana."

Amendment passed as follows:

Ayes: Anderson, Asay, Bengtson, Bennett, Bergene, Brand, Briggs, Brown, Conroy, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Gould, Harp, Harrington, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Kropp, Lory, Manning, Manuel, Matsko, McLane, Meyer, Neuman, Pavlovich, Phillips, Quilici, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Wallin.
Total 53

Noes: Abrams, Azzara, Bardanouve, Bertelsen, Dozier, Dussault, Feda, Hannah, Hanson, Harper, Hart, Holliday, Huennekens, Kanduch, Kemmis, Kennerly, Kitselman, McBride, Menahan, Metcalf, Moore, Mueller, Nilson, Oberg, O'Connell, O'Hara, Ramirez, Roush, Shelden, Sivertsen, Vincent, Vinger, Waldron, Williams, Winslow, Yardley, Zabrocki.
Total 37

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: Burnett, Kessler, Marks, Pistoria.
Total 4

Representative Spilker moved that HB 11, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Andreason, Asay, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Harper, Hemstad, Hurwitz, Iverson, Jensen, Keedy, Keyser, Kitselman, Kropp, Lory, Marks, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Nilson, O'Hara, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Yardley.
Total 61

Noes: Anderson, Azzara, Bardanouve, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harrington, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Kemmis, Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Neuman, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Teague, Vincent, Waldron, Williams, Zabrocki.
Total 37

Paired: Andreason, Donaldson, Fagg, Keyser, Ayes; Azzara, Robbins, Roush, Waldron, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

Representative Spilker moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Seifert moved the adoption of the committee report. Report adopted. (65-27)

MOTIONS

Representative Bergene moved that the Speaker be authorized to appoint a conference committee on Senate amendments to HB 10. Motion carried.

Representative Spilker moved that the rules be temporarily suspended to allow HB 11, HB 13 and HJR 4 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 4 passed as follows:

Ayes: Anderson, Asay, Bennett, Bergene, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Gould, Hannah, Hanson, Harp, Harrington, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kessler, Kitselman, Kropp, Lory, Matsko, McLane, Menahan, Meyer, Moore, Mueller, O'Hara, Pavlovich, Phillips, Quilici, Ramirez, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 62

Noes: Abrams, Azzara, Bardanouve, Bengtson, Bertelsen, Dozier, Dussault, Feda, Harper, Hart, Holliday, Huennekens, Kemmis, Kennerly, Manning, Manuel, McBride, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pistoria, Roush, Shelden, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.

Total 31

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: Shontz.
Total 1

HB 13 passed as follows:

Ayes: Anderson, Asay, Bennett, Bergene, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Fabrega, Gould, Hannah, Harp, Harrington, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Kropp, Manning, McLane, Meyer, Neuman, Nilson, O'Hara, Pavlovich, Quilici, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Wallin, Winslow.
Total 50

Noes: Abrams, Azzara, Bardanouve, Bengtson, Bertelsen, Dozier, Dussault, Eudaily, Feda, Hanson, Harper, Hart, Holliday, Huennekens, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manuel, Matsko, McBride, Menahan, Metcalf, Moore, Mueller, Oberg, O'Connell, Phillips, Pistoria, Ramirez, Roush, Shelden, Shontz, Sivertsen, Teague, Vincent, Vinger, Waldron, Williams, Yardley, Zabrocki, Mr. Speaker.
Total 44

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: None.
Total 0

HB 11 passed as follows:

Ayes: Anderson, Asay, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Hemstad, Hurwitz, Iverson, Jensen, Keedy, Kitselman, Kropp, Lory, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Nilson, O'Hara, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Wallin, Winslow, Yardley, Mr. Speaker.
Total 58

Noes: Abrams, Azzara, Bardanouve, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harrington, Hart, Holliday, Huennekens, Jacobsen, Kanduch, Kemmis, Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Neuman, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Shontz, Teague, Waldron, Williams, Zabrocki.
Total 36

Excused: Andreason, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 6

Absent or not voting: None.
Total 0

Representative Spilker moved that the House stand in recess until 3:52 p.m. Motion carried.

House recessed at 3:40 p.m.

House reconvened at 4:05 p.m.

Representative Andreason present at this time.

Representative Briggs excused at this time.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Moore, Vice-Chairman): 6/25/82

SB 1, third reading copy, be amended as follows:

NOTE: All amendments except numbers 4 and 42 are referenced to blue, third reading copy.

1. Statement of intent, line 6.
Following: "department of"
Strike: "administration"
Insert: "institutions"

2. Statement of intent, line 8.
Following: "prison"
Strike: "vocational"

3. Statement of intent, line 9.
Following: line 8
Insert: "training"

4. Statement of intent.
Following: line 19
Strike: subsection (2), relating to competition and collective bargaining, in its entirety

5. Title, line 4.
Following: "ESTABLISH"
Strike: "A"
Insert: "AN"

6. Title, line 5.
Following: line 4
Strike: "VOCATIONAL"

7. Title, line 5.
Following: "INDUSTRIES"
Insert: "TRAINING"

8. Title, line 6.
Following: "PROVIDES"
Strike: "FORMAL"

9. Title, line 6.
Following: "VOCATIONAL"
Strike: "EDUCATIONAL,"

10. Page 1, line 14.
Following: "establish a"
Strike: "vocational"

11. Page 1, line 17.
Following: "viable"
Strike: "vocations"
Insert: "skills"

12. Page 1, line 23.
Following: "with"
Strike: "vocations"
Insert: "skills"

13. Page 2, line 6.

Following: "true"
Strike: "vocational"

14. Page 2, line 7.
Following: "industries"
Insert: "training"

15. Page 2, line 8.
Following: "are"
Strike: "vocationally"

16. Page 2, line 12.
Following: "Prison"
Strike: "vocational"

17. Page 2, line 12.
Following: "industries"
Insert: "training"

18. Page 2, line 15.
Following: "prison"
Strike: "vocational"

19. Page 2, line 16.
Following: "industries"
Insert: "training"

20. Page 2, line 17.
Following: "prison"
Strike: "vocational"

21. Page 2, line 17.
Following: "industries"
Insert: "training"

22. Page 2, line 21.
Following: "worthwhile"
Strike: "vocational"

23. Page 2, line 23.
Following: "their"
Strike: "vocational"

24. Page 2, line 24.
Strike: "training"
Insert: "skills"

25. Page 3, line 3.
Following: "prison"
Strike: "vocational"

26. Page 3, line 3.
Following: "industries"
Insert: "training"

27. Page 3, line 4.
Following: "of"
Strike: "structured"

28. Page 3, line 7.
Strike: "vocational"
Insert: "this"

29. Page 3, line 19.

Following: "prison"
Strike: "vocational"

30. Page 3, line 19.
Following: "industries"
Insert: "training"

31. Page 3, line 19.
Following: "program"
Strike: "is"
Insert: "need"

32. Page 3, line 20.
Following: "not"
Insert: "be"

33. Page 3, line 22.
Following: "for"
Strike: "prison vocational industries"
Insert: "this program"

34. Page 4, line 5.
Following: "prison"
Strike: "vocational"

35. Page 4, line 5.
Following: "industries"
Insert: "training"

36. Page 4, line 10.
Strike: "vocational"

37. Page 4, line 10.
Following: "industries"
Insert: "training"

38. Page 5, line 1.
Following: "prison"
Strike: "vocational"

39. Page 5, line 2.
Following: "industries"
Insert: "training"

40. Page 5, line 14.
Following: "prison"
Strike: "vocational"

41. Page 5, line 14.
Following: "industries"
Insert: "training"

42. Page 5, new section 2.
Amend to read as follows:
"Section 2. Appropriation. There is appropriated from the general fund to the department of institutions $26,325 to establish the prison ~~vocational~~ industries training program."

Statement of Intent
SB 1

A statement of intent is required for this bill in that it delegates authority to the department of administration to adopt rules in subsection (7)(a)

of section 1. (1) In adopting rules implementing the prison vocational industries program, the department should include:

(a) guidelines and procedures for contracting with vocational education entities;

(b) rules governing inmate participation;

(c) rules governing the calculation and payment of inmate wages, including maintaining savings accounts for inmates to be released to them upon release from the institution;

(d) price lists for the cost of products and services;

(e) rules outlining criteria for developing a vocational industry program.

(2) The legislature intends that this program will not compete in any significant way with Montana businesses established and operating prior to the program, and will not displace workers covered by a collective bargaining agreement.

And, as amended, be concurred in. Report adopted.

MOTIONS

Representative Spilker moved that the rules be temporarily suspended to allow HB 17 and HB 18 to be placed on second reading this day. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following representatives to the conference committee on Senate amendments to HB 10:

Hannah, Chairman
Holliday
Bergene

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Spilker moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Seifert in the Chair.

Representative Azzara excused at this time.

HB 16 - Representative Moore moved that HB 16 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kitselman, Kropp, Lory, Manuel, Marks, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, Oberg, O'Connell, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Wallin, Williams, Yardley, Zabrocki.
Total 74

Noes: Brown, Daily, Dozier, Dussault, Harrington, Hart, Manning, McBride, Menahan, Nilson, Pavlovich, Quilici, Shontz, Smith, Teague.

Total 15

Excused: Azzara, Briggs, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 7

Absent or not voting: Kessler, O'Hara, Waldron, Winslow.
Total 4

Representatives Ellerd and Spilker excused at this time.

HB 19 - Representative Eudaily moved that HB 19 do pass. Motion carried as follows:

Ayes: Anderson, Andreason, Asay, Azzara, Bennett, Bergene, Bertelsen, Brown, Burnett, Curtiss, Daily, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Hemstad, Holliday, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Marks, Matsko, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Oberg, O'Connell, O'Hara, Phillips, Quilici, Ramirez, Roth, Roush, Ryan, Sales, Schultz, Seifert, Sivertsen, Solberg, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Wallin, Winslow, Yardley.
Total 66

Noes: Abrams, Bardanouve, Bengtson, Brand, Conroy, Dozier, Dussault, Harrington, Hart, Huennekens, Jacobsen, Kropp, Manning, Manuel, McBride, Neuman, Nilson, Pavlovich, Pistoria, Robbins, Shelden, Shontz, Smith, Waldron, Zabrocki.
Total 25

Paired: Azzara, Ellerd, Ayes; Robbins, Shontz, Noes.

Excused: Briggs, Conn, Donaldson, Fagg, Keyser, Nordtvedt, Spilker.
Total 7

Absent or not voting: Stobie, Williams.
Total 2

Representative Ellerd present at this time.

SB 5 - Representative Gould moved that SB 5 be concurred in. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brown, Burnett, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Kropp, Lory, Manning, Manuel, Marks, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 88

Noes: Brand, Curtiss.
Total 2

Excused: Azzara, Briggs, Conn, Donaldson, Fagg, Keyser, Nordtvedt, Spilker.
Total 8

Absent or not voting: Conroy, Ramirez.
Total 2

Representative Ellerd excused at this time.

HJR 3 - Representative Zabrocki moved that HJR 3, second reading copy, be amended. Amendment failed as follows:

Ayes: Abrams, Andreason, Brand, Burnett, Devlin, Harper, Harrington, Hart, Holliday, Huennekens, Jacobsen, Kennerly, Kessler, Manuel, Menahan, Metcalf, Nilson, Oberg, O'Connell, Pistoria, Robbins, Roush, Ryan, Shelden, Shontz, Smith, Solberg, Stobie, Switzer, Teague, Underdal, Zabrocki.
Total 32

Noes: Anderson, Asay, Bengtson, Bennett, Bertelsen, Brown, Conroy, Curtiss, Daily, Dussault, Ellison, Ernst, Eudaily, Fabrega, Gould, Hannah, Hanson, Hemstad, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kitselman, Kropp, Lory, Marks, Matsko, McBride, McLane, Meyer, Moore, Mueller, Neuman, O'Hara, Pavlovich, Phillips, Quilici, Ramirez, Roth, Sales, Schultz, Seifert, Sivertsen, Thoft, Vincent, Vinger, Wallin, Williams, Winslow.
Total 50

Excused: Azzara, Briggs, Conn, Donaldson, Ellerd, Fagg, Keyser, Nordtvedt, Spilker.
Total 9

Absent or not voting: Bardanouve, Bergene, Dozier, Feda, Harp, Kemmis, Manning, Waldron, Yardley.
Total 9

Representative Quilici moved that HJR 3 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bengtson, Bergene, Brand, Brown, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ernst, Eudaily, Fabrega, Gould, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, McBride, McLane, Menahan, Metcalf, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Quilici, Ramirez, Robbins, Roush, Shelden, Shontz, Switzer, Teague, Vincent, Vinger, Waldron, Wallin, Williams, Yardley.
Total 63

Noes: Bennett, Bertelsen, Burnett, Ellison, Feda, Hannah, Hurwitz, Jensen, Kropp, Marks, Matsko, Moore, Phillips, Roth, Ryan, Sales, Seifert, Sivertsen, Smith, Solberg, Stobie, Underdal, Winslow, Zabrocki.
Total 24

Paired: Azzara, Aye; Phillips, No.

Excused: Briggs, Conn, Donaldson, Ellerd, Fagg, Keyser, Nordtvedt, Spilker.
Total 8

Absent or not voting: Bardanouve, Meyer, Pistoria, Schultz, Thoft.
Total 5

Representative Spilker present at this time.

HB 17 - Representative Manning moved that HB 17, second reading copy, be amended. Amendment failed as follows:

Ayes: Azzara, Bennett, Bertelsen, Brand, Brown, Daily, Dozier, Dussault, Harper, *Harrington, Hart, Huennekens, Kanduch, Keedy, Kemmis,

Kennerly, Kessler, Manning, Manuel, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Roush, Shelden, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 37

Noes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bergene, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Hurwitz, Iverson, Jacobsen, Jensen, Keyser, Kitselman, Kropp, Lory, Marks, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.
Total 61

Paired: Azzara, Dussault, Kemmis, Menahan, Quilici, Vincent, Ayes; Briggs, Burnett, Donaldson, Ellerd, Fagg, Keyser, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

*See Motions on the sixth legislative day.

Representative Winslow moved that HB 17 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Hurwitz, Iverson, Jacobsen, Jensen, Kessler, Keyser, Kitselman, Kropp, Lory, Manuel, Marks, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.
Total 64

Noes: Azzara, Bardanouve, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Huennekens, Kanduch, Keedy, Kemmis, Kennerly, Manning, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Shelden, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 34

Paired: Briggs, Burnett, Donaldson, Ellerd, Fagg, Keyser, Spilker, Ayes; Azzara, Brown, Daily, Dussault, Kemmis, Menahan, Quilici, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

Representative Ellerd present at this time.

HB 18 - Representative Keedy moved that HB 18 do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Brown, Burnett, Curtiss, Daily, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda,

Gould, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Pistoria, Ramirez, Robbins, Roush, Schultz, Seifert, Shelden, Sivertsen, Teague, Underdal, Vincent, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 74

Noes: Conroy, Devlin, Hannah, Keyser, Kropp, Marks, Moore, Phillips, Quilici, Roth, Ryan, Sales, Shontz, Smith, Solberg, Spilker, Switzer, Thoft, Vinger, Winslow.
Total 20

Paired: Azzara, Bengtson, Brown, Ayes; Hannah, Keyser, Moore, Noes.

Excused: Briggs, Conn, Donaldson, Fagg, Nordtvedt.
Total 5

Absent or not voting: Stobie.
Total 1

Representative Spilker moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Seifert moved the adoption of the committee report. Report adopted. (75-16)

MOTIONS

Representative Spilker moved that the rules be temporarily suspended to allow HB 16, HB 17, HB 18, HB 19, HJR 3 and SB 5 to be placed on third reading. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 16 passed as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Hemstad, Holliday, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Kennerly, Kitselman, Kropp, Lory, Manuel, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, O'Connell, O'Hara, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Sivertsen, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 71

Noes: Brand, Daily, Dozier, Dussault, Harrington, Hart, Huennekens, Kanduch, Kemmis, Manning, McBride, Menahan, Nilson, Oberg, Pavlovich, Quilici, Shelden, Shontz, Smith, Teague.
Total 20

Excused: Azzara, Briggs, Brown, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 8

Absent or not voting: Kessler.
Total 1

HB 19 passed as follows:

Ayes: Anderson, Andreason, Asay, Bennett, Bergene, Bertelsen, Burnett, Curtiss, Daily, Devlin, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Hemstad, Holliday, Huennekens, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Oberg, O'Connell, O'Hara, Phillips, Ramirez, Quilici, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Solberg, Spilker, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Wallin, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 69

Noes: Abrams, Bardanouve, Bengtson, Brand, Conroy, Dozier, Harrington, Hart, Hurwitz, Jacobsen, Kropp, Manning, Manuel, Neuman, Nilson, Pavlovich, Pistoria, Robbins, Shontz, Smith, Waldron, Williams.
Total 22

Excused: Azzara, Briggs, Brown, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 8

Absent or not voting: Stobie.
Total 1

SB 5 concurred in as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Burnett, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hannah, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Kropp, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Teague, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 90

Noes: Brand.
Total 1

Excused: Azzara, Briggs, Brown, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 8

Absent or not voting: Hurwitz.
Total 1

HJR 3 passed as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Brand, Conroy, Curtiss, Daily, Devlin, Dozier, Dussault, Ernst, Eudaily, Fabrega, Gould, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, McBride, McLane, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Pistoria, Quilici, Ramirez, Robbins, Roush, Shelden, Spilker, Switzer, Teague, Vincent, Vinger, Waldron, Wallin, Williams, Yardley, Mr. Speaker.
Total 66

Noes: Bertelsen, Ellerd, Ellison, Feda, Hannah, Hurwitz, Kropp, Matsko, Moore, Phillips, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Stobie, Thoft, Underdal, Winslow, Zabrocki.
Total 24

Excused: Azzara, Briggs, Brown, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 8

Absent or not voting: Burnett, Menahan.
Total 2

HB 17 passed as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kessler, Keyser, Kitselman, Kropp, Lory, Manuel, Matsko, McLane, Meyer, Moore, Mueller, O'Hara, Phillips, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 66

Noes: Azzara, Bardanouve, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Kanduch, Keedy, Kemmis, Kennerly, Manning, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Shelden, Teague, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 32

Paired: Briggs, Burnett, Donaldson, Fagg, Keyser, Spilker, Ayes; Azzara, Brown, Hart, Kemmis, Menahan, Metcalf, Noes.

Excused: Conn, Nordtvedt.
Total 2

Absent or not voting: None.
Total 0

HB 18 passed as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Burnett, Curtiss, Daily, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, O'Hara, Pavlovich, Pistoria, Ramirez, Robbins, Roush, Schultz, Seifert, Shelden, Sivertsen, Spilker, Teague, Underdal, Vincent, Waldron, Wallin, Williams, Yardley, Zabrocki, Mr. Speaker.
Total 72

Noes: Conroy, Devlin, Hannah, Hurwitz, Kropp, Matsko, Moore, Phillips, Quilici, Roth, Ryan, Sales, Shontz, Smith, Solberg, Stobie, Switzer, Thoft, Vinger, Winslow.
Total 20

Excused: Azzara, Briggs, Brown, Conn, Donaldson, Fagg, Keyser, Nordtvedt.
Total 8

Absent or not voting: None.
Total 0

Representative Spilker moved that the House adjourn until 1:30 p.m., June 26, 1982.

Motion carried.

House adjourned at 6:00 p.m.

Robert L. Marks, Speaker

Don Byrd, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
June 26, 1982

House Chambers
Capitol Building

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Conn, Hanson, Keyser, Manuel, Nordtvedt, O'Hara, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourth and fifth legislative days, find the same to be correct.

Spilker, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

June 24, 1982

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House bill 1.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate, on 6/26/82, dissolved the conference committee on Senate amendments to HB 10 and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 10.

The President appointed the following members:

Senator Keating, Chairman
Senator Dover
Senator Towe

House bill concurred in and returned to the House: 6/26/82

House bill 13, introduced by Ellerd, Brand, Boylan

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 6/26/82

House bill 11, introduced by Spilker, Keyser, Moore, et al.

MOTIONS

Representative Fagg moved that the conference committee on Senate amendments to HB 10 be dissolved and that the Speaker be authorized to appoint a free conference committee on HB 10. Motion carried.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate to confer on HB 10:

Winslow, Chairman
Bergene
Brown

SPECIAL ORDERS OF THE DAY

Representative Gould rose on a point of personal privilege. He stated that after seven and one-half years with the House of Representatives, today will be his last day here. Every legislature has been a fantastic help to him and they have been the most wonderful years of his life. "Only in America could this happen to me. It's a wonderful country and state to live in. I love you all."

Representative Smith arose to say it would be his last trip here as a legislator. "Thanks to all of you who worked with me on both sides of the House."

Representative Kanduch arose to express his appreciation for everything the legislators have done for him.

Representative Kropp arose to say it has been a pleasure serving as a legislator the last four sessions and expressed his appreciation for his friends.

Representative Roth arose and stated, "I don't know anyplace in the world I could learn so much so fast and so well. It was a great experience."

Representative Hurwitz arose to say it is a sad time for him. He is going to miss everyone. "I have found as many friends on the opposite side of the aisle as on this side."

MOTIONS

Representative Harrington moved that the record show him voting in favor of the amendments to HB 17, second reading, on the fifth legislative day. The record showed him absent and not voting. Motion carried unanimously.

Representative Fagg moved that the rules be temporarily suspended to allow the Senate amendments to HB 11 to be placed on second reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

Representative Kropp excused at this time.

HB 11 - Representative Spilker moved that Senate amendments to HB 11 be concurred in. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Marks, Matsko, McBride, McLane, Metcalf, Moore, Mueller, Neuman, Oberg, O'Connell, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.

Total 79

Noes: Azzara, Brand, Brown, Dozier, Harrington, Manning, Menahan, Nilson, Pavlovich, Quilici, Teague.
Total 11

Excused: Conn, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 7

Absent or not voting: Daily, Meyer, Shontz.
Total 3

Representative Fagg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (82-9)

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow the Senate amendments to HB 11 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 11, Senate amendments, concurred in as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Matsko, McBride, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, Oberg, O'Connell, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Schultz, Seifert, Shelden, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 79

Noes: Brand, Brown, Daily, Dozier, Harrington, Jacobsen, Manning, Menahan, Nilson, Pavlovich, Quilici, Sales, Teague.
Total 13

Excused: Conn, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 7

Absent or not voting: Azzara.
Total 1

Representative Spilker announced that architectural drawings of the new Senate Chambers were on display on the first floor of the Rotunda. Also on display is an artist's concept of how the completed Chambers would look.

Representative Fagg moved that the House stand at ease subject to a call of the Chair. Motion carried.

House stood at ease at 2:30 p.m.

House resumed at 5:00 p.m.

Representatives Daily, Donaldson and O'Connell excused at this time.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Moore, Vice-Chairman): 6/26/82

HB 20, as amended, do not pass. Representative Moore moved the adoption of the adverse committee report. Motion failed as follows:

Ayes: Asay, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ernst, Eudaily, Fagg, Feda, Gould, Hannah, Harp, Hurwitz, Iverson, Jensen, Kitselman, Matsko, McLane, Moore, Mueller, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 43

Noes: Abrams, Anderson, Andreason, Azzara, Bardanouve, Bengtson, Bergene, Brand, Brown, Daily, Dozier, Dussault, Fabrega, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Lory, Manning, McBride, Menahan, Metcalf, Meyer, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Robbins, Roush, Shelden, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 45

Paired: Fagg, Spilker, Ayes; Daily, O'Connell, Noes.

Excused: Conn, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 8

Absent or not voting: Bennett, Ellison, Quilici, Teague.
Total 4

Representative Keedy moved that HB 20 be printed and placed on second reading. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Brown, Burnett, Daily, Dozier, Dussault, Fabrega, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Lory, Manning, McBride, Menahan, Metcalf, Meyer, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Ramirez, Robbins, Roush, Shelden, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 48

Noes: Asay, Bennett, Briggs, Conroy, Curtiss, Devlin, Ellerd, Ernst, Eudaily, Fagg, Feda, Gould, Hannah, Harp, Hurwitz, Iverson, Jensen, Kitselman, Matsko, McLane, Moore, Mueller, Phillips, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Mr. Speaker.
Total 41

Paired: Daily, O'Connell, Ayes; Fagg, Spilker, Noes.

Excused: Conn, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 8

Absent or not voting: Ellison, Quilici, Teague.
Total 3

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on HB 10
Report No. 1, June 26, 1982

Mr. President and Speaker of the House:

We, your free conference committee on HB 10, met June 26, 1982, and considered the amendments of the following committee:

Senate Committee of the Whole (6/23/82)

We recommend that:

The House accede to all committee amendments.

HB 10 be further amended as indicated in clerical instructions 1 through 5.

The third reading copy of HB 10 be amended to read as specified in the clerical instructions.

The free conference committee report on HB 10 be adopted.

Clerical Instructions:

1. Title, line 5.
Following: "TO"
Strike: "ESTABLISH AND"

2. Title, line 7.
Following: "WITH"
Insert: "PRIVATE"

3. Title, line 7.
Following: "NONPROFIT"
Strike: "ORGANIZATIONS"
Insert: "MONTANA CORPORATIONS"

4. Page 2, line 5.
Following: "WITH"
Insert: "PRIVATE"

5. Page 2, line 6.
Following: line 5
Strike: "ORGANIZATIONS"
Insert: "MONTANA CORPORATIONS"

For the House:	For the Senate:
Bergene	Keating
Brown	Dover
Winslow	Towe

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 6/26/82

House bill 8, introduced by Menahan, Brand, Manning, et al.

House bill 17, introduced by Winslow, Iverson, Kolstad, et al.

House bill 18, introduced by Keedy, Anderson, Vincent, et al.

House joint resolution 3, introduced by Quilici, Fabrega, Stephens, et al.

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 6/26/82

House bill 2, introduced by Moore

House bill 5, introduced by Moore

House bill 16, introduced by Moore

House bill not concurred in and returned to the House: 6/26/82

House bill 19, introduced by Eudaily, Marks, Keedy, et al.

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow Senate amendments to HB 2, Senate amendments to HB 5, the free conference committee report on HB 10, Senate amendments to HB 16, and SB 1 to be placed on second reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

HB 10 - Representative Bergene moved that the free conference committee report on HB 10 be adopted. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Harrington, Hart, Hemstad, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kessler, Kitselman, Lory, Manning, Marks, Matsko, McLane, Meyer, Moore, Mueller, Neuman, Nilson, Phillips, Ramirez, Robbins, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Wallin, Williams, Winslow, Yardley.
Total 70

Noes: Azzara, Brown, Holliday, Kemmis, Kennerly, McBride, Menahan, Metcalf, Oberg, Pavlovich, Roth, Roush, Shontz, Waldron, Zabrocki.
Total 15

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Connell, O'Hara.
Total 10

Absent or not voting: Bennett, Keedy, Pistoria, Quilici, Teague.
Total 5

Representative O'Connell present at this time.

SB 1 - Representative Williams moved that SB 1, third reading copy, be amended. Amendment failed as follows:

Ayes: Abrams, Bardanouve, Bengtson, Brand, Brown, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Kanduch, Kemmis, Kennerly, Kessler, Manning, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Shelden, Vincent, Waldron, Williams, Yardley, Zabrocki.
Total 35

Noes: Anderson, Andreason, Asay, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Kitselman, Lory, Marks, Matsko, McLane, Meyer, Moore, Mueller, Phillips, Ramirez, Roth, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.

Total 53

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Azzara, Keedy, Teague.
Total 3

Representative Harper moved that SB 1, third reading copy, be further amended. Amendment failed as follows:

Ayes: Abrams, Azzara, Bardanouve, Bengtson, Brand, Brown, Daily, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Manning, McBride, Menahan, Metcalf, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Roush, Shelden, Shontz, Sivertsen, Vincent, Waldron, Wallin, Williams, Yardley, Zabrocki.
Total 40

Noes: Anderson, Andreason, Asay, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keyser, Kitselman, Lory, Marks, Matsko, McLane, Meyer, Moore, Mueller, Phillips, Ramirez, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vinger, Winslow.
Total 54

Paired: Daily, Kemmis, Menahan, Quilici, Ayes; Donaldson, Fagg, Hanson, Keyser, Noes.

Excused: Conn, Kropp, Manuel, Nordtvedt, O'Hara.
Total 5

Absent or not voting: Teague.
Total 1

Representative Fabrega moved that SB 1 be concurred in. Motion carried as follows:

Ayes: Anderson, Andreason, Asay, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Hanson, Harp, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Keyser, Kitselman, Lory, Marks, Matsko, McLane, Moore, Mueller, Phillips, Ramirez, Roth, Ryan, Schultz, Seifert, Smith, Solberg, Spilker, Stobie, Switzer, Underdal, Vincent, Vinger, Waldron, Wallin, Winslow.
Total 54

Noes: Abrams, Azzara, Bardanouve, Brand, Brown, Conroy, Daily, Dozier, Dussault, Harper, Harrington, Hart, Holliday, Huennekens, Kanduch, Kemmis, Kennerly, Kessler, Manning, McBride, Menahan, Metcalf, Meyer, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Sales, Shelden, Shontz, Sivertsen, Thoft, Williams, Yardley, Zabrocki.
Total 40

Paired: Donaldson, Fagg, Hanson, Keyser, Ayes; Daily, Dussault, Menahan, Quilici, Noes.

Excused: Conn, Kropp, Manuel, Nordtvedt, O'Hara.
Total 5

Absent or not voting: Teague.
Total 1

Representative Fagg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (56-34)

MOTIONS

Representative Keedy moved that the rules be temporarily suspended to allow HB 20 to be placed on second reading this day. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Brown, Burnett, Curtiss, Donaldson, Dozier, Dussault, Ellerd, Ellison, Fabrega, Gould, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Robbins, Roush, Shelden, Shontz, Spilker, Vincent, Waldron, Williams, Winslow, Yardley, Zabrocki.
Total 62

Noes: Asay, Briggs, Conroy, Devlin, Ernst, Eudaily, Fagg, Feda, Hannah, Harp, Hurwitz, Jensen, Moore, Mueller, Phillips, Roth, Ryan, Sales, Schultz, Seifert, Sivertsen, Smith, Solberg, Stobie, Switzer, Thoft, Underdal, Vinger, Wallin, Mr. Speaker.
Total 30

Paired: Donaldson, Keedy, Manuel, Menahan, Ayes; Fagg, Hannah, Noes.

Excused: Conn, Daily, Hanson, Keyser, Kropp, Nordtvedt, O'Hara.
Total 7

Absent or not voting: Teague.
Total 1

Representative Fagg moved that the rules be temporarily suspended to allow the free conference committee report on HB 10 and SB 1 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 1 concurred in as follows:

Ayes: Anderson, Andreason, Asay, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Hemstad, Hurwitz, Iverson, Jacobsen, Jensen, Keedy, Kemmis, Kitselman, Lory, Manuel, Matsko, McLane, Moore, Mueller, Phillips, Ramirez, Roth, Ryan, Schultz, Seifert, Shontz, Smith, Solberg, Spilker, Stobie, Switzer, Underdal, Vincent, Vinger, Waldron, Wallin, Winslow, Mr. Speaker.
Total 54

Noes: Abrams, Azzara, Bardanouve, Brand, Brown, Conroy, Dozier, Harper, Harrington, Hart, Holliday, Huennekens, Kanduch, Kennerly, Kessler, Manning, McBride, Menahan, Metcalf, Meyer, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Robbins, Roush, Sales, Shelden, Sivertsen, Thoft, Williams, Yardley, Zabrocki.

Total 36

Paired: Manuel, Aye; Menahan, No.

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Nordtvedt, O'Hara.
Total 8

Absent or not voting: Dussault, Teague.
Total 2

HB 10, free conference committee report, adopted as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Harrington, Hart, Hemstad, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kessler, Kitselman, Lory, Manning, Matsko, McLane, Menahan, Meyer, Mueller, Neuman, Nilson, Phillips, Quilici, Ramirez, Robbins, Roth, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Wallin, Williams, Winslow, Mr. Speaker.
Total 72

Noes: Azzara, Brand, Brown, Holliday, Kemmis, Kennerly, McBride, Metcalf, Moore, Oberg, O'Connell, Pavlovich, Pistoria, Roush, Shontz, Waldron, Yardley, Zabrocki.
Total 18

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Teague.
Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

HB 2 - Representative Moore moved that Senate amendments to HB 2 be concurred in. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Briggs, Burnett, Conroy, Curtiss, Devlin, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Marks, Matsko, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Solberg, Spilker, Stobie, Switzer, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 80

Noes: Brown, Dozier, Harrington, Manning, McBride, Nilson, Shontz, Smith, Thoft.
Total 9

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Quilici, Teague.
Total 2

HB 5 - Representative Moore moved that Senate amendments to HB 5 be concurred in. Representative Bardanouve made a substitute motion that Senate amendments to HB 5 be not concurred in. The substitute motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Briggs, Brown, Burnett, Conroy, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Matsko, McBride, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Shelden, Shontz, Sivertsen, Smith, Solberg, Stobie, Thoft, Underdal, Vincent, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 72

Noes: Asay, Bennett, Brand, Curtiss, Devlin, Dozier, Fagg, Feda, Harrington, Manning, Marks, McLane, Menahan, Moore, Seifert, Spilker, Switzer, Vinger.
Total 18

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Teague.
Total 1

HB 16 - Representative Moore moved that Senate amendments to HB 16 be concurred in. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Conroy, Curtiss, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Marks, Matsko, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Zabrocki.
Total 83

Noes: Brand, Brown, Devlin, Dozier, McBride, Shontz.
Total 6

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Teague, Yardley.
Total 2

Representative Fagg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (83-4)

MOTIONS

Representative Fagg moved that the Speaker be authorized to appoint a conference committee on Senate amendments to HB 5. Motion carried.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate to confer on Senate amendments to HB 5:

Moore, Chairman
Lory
Bardanouve

Representative Fagg moved that the rules be temporarily suspended to allow Senate amendments to HB 2 and Senate amendments to HB 16 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2, Senate amendments, concurred in as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Briggs, Burnett, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 80

Noes: Brand, Brown, Dozier, Manning, Nilson, Shontz.
Total 6

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Conroy, Dussault, Harrington, Hart, Teague.
Total 5

HB 16, Senate amendments, concurred in as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Conroy, Curtiss, Devlin, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shelden, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.

Total 87

Noes: Dozier, Shontz.
Total 2

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara.
Total 9

Absent or not voting: Harrington, Teague.
Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

Representatives Quilici and Shelden excused at this time.

HB 20 - Representative Keedy moved that HB 20, second reading copy, be amended as follows:

1. Title, lines 6 through 8.
Following: "ACT TO" on line 6
Strike: line 6 through "SESSION," on line 8
Insert: "APPROPRIATE FUNDS"

2. Title, lines 8 and 9.
Following: "1983" on line 8
Strike: line 8 through "APPROPRIATION" on line 9

3. Title, line 10.
Following: "STAFF"
Strike: "AND PROVIDING FACILITIES"

4. Page 1, lines 16 through 21.
Following: line 15
Strike: lines 16 through 21 in their entirety
Insert: "There is appropriated to the Montana state prison from the general fund $71,710.96, for fiscal year 1983."

5. Page 1, line 22.
Following: "The"
Strike: "increase"
Insert: "appropriation"

6. Page 1, line 23.
Following: "used"
Strike: "to provide facilities, supplies, and"
Insert: "for"

Amendment passed as follows:

Ayes: Abrams, Anderson, Andreason, Asay, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Brown, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Switzer, Thoft,

Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 81

Noes: Marks, Moore.
Total 2

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara, Quilici, Shelden.
Total 11

Absent or not voting: Bennett, Burnett, Hannah, Iverson, Stobie, Teague.
Total 6

Representative Shelden present at this time.

Representative Keedy moved that HB 20, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Anderson, Andreason, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Curtiss, Devlin, Dozier, Dussault, Eudaily, Fabrega, Fagg, Gould, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Ramirez, Roush, Ryan, Schultz, Shelden, Sivertsen, Spilker, Switzer, Underdal, Vincent, Waldron, Williams, Winslow, Yardley, Zabrocki.
Total 67

Noes: Asay, Bennett, Conroy, Ellerd, Ellison, Ernst, Feda, Hannah, Hurwitz, Iverson, Marks, Moore, Robbins, Roth, Sales, Seifert, Shontz, Smith, Solberg, Stobie, Thoft, Vinger, Wallin.
Total 23

Paired: Manuel, Aye; Hannah, No.

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Nordtvedt, O'Hara, Quilici.
Total 9

Absent or not voting: Teague.
Total 1

Representative Fagg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (80-7)

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow HB 20 to be placed on third reading this day. Motion carried.

Representative Fagg moved that the conference committee on Senate amendments to HB 5 be dissolved and that the Speaker be authorized to appoint a free conference committee on HB 5. Motion carried.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate to confer on HB 5:

Moore, Chairman
Lory
Bardanouve

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 20 passed as follows:

Ayes: Abrams, Anderson, Andreason, Azzara, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, Briggs, Brown, Burnett, Curtiss, Devlin, Dozier, Dussault, Ellison, Eudaily, Fabrega, Fagg, Gould, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Huennekens, Jacobsen, Jensen, Kanduch, Keedy, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Manuel, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Roush, Ryan, Schultz, Shelden, Sivertsen, Solberg, Spilker, Switzer, Teague, Underdal, Vincent, Waldron, Williams, Winslow, Yardley, Zabrocki.
Total 71

Noes: Asay, Bennett, Conroy, Ellerd, Ernst, Feda, Hurwitz, Iverson, Moore, Robbins, Roth, Sales, Seifert, Shontz, Smith, Stobie, Thoft, Vinger, Wallin, Mr. Speaker.
Total 20

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Nordtvedt, O'Hara.
Total 8

Absent or not voting: Hannah.
Total 1

Representative Shelden excused at this time.

SPECIAL ORDERS OF THE DAY

In honor of Representative Carl Smith, who is retiring after twenty-two years of dedicated service in the House of Representatives, Speaker Marks read the following poem:

It's always hard to say goodbye
To someone you respect;
Let's look at Carl Smith's record
His experience we'll inspect.

He's served this body faithfully
For two and twenty years;
When he called the previous question
He was met with jeers and cheers.

He led the slaughterhouse committee
Down to death all bills would go;
And he'll always be remembered
Because he usually voted "no."

This year he was selected
As the House Speaker Pro-tem.
Just another indication of
How much we think of him.

So, Killer Carl, we'll miss you
In all the terms ahead;
But you will be remembered
When a button flashes red.

Representative Fagg moved that the above poem be entered in the journal this day. Motion carried.

Representative Sivertsen asked if the choral director for the House, Representative Kanduch, would lead the members in a song. Everyone joined in singing our state song, "Montana".

House stood at ease 7:30 p.m.

House resumed at 8:10 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/26/82
Correctly printed: HB 20.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on HB 5
Report No. 1, June 26, 1982

Mr. President and Speaker of the House:

We, your free conference committee on HB 5, met June 26, 1982, and considered the amendments of the following committee:

Senate Committee on Finance and Claims (6/26/82)

We recommend that:

The Senate recede from Senate Finance and Claims Committee amendments 1, 3, and 4.

The House accede to committee amendment 2.

The reference copy of HB 5 be amended to read as specified in the clerical instructions.

The free conference committee report on HB 5 be adopted.

Clerical Instructions:

1. Page 2, line 21.
Following: line 20
Strike: "$579,100"
Insert: "$397,100"

2. Page 2, line 22.
Following: line 21
Strike: section 6 in its entirety
Renumber: subsequent sections

3. Page 3, line 17.
Following: line 16
Strike: "$579,100"
Insert: "$397,100"

4. Page 2, line 18.
Following: line 17
Strike: lines 18 through 20 in their entirety

For the House:

Moore
Lory

For the Senate:

Story
Wolf

Bardanouve Thomas

MESSAGES FROM THE OTHER HOUSE

Free conference committee report adopted: 6/26/82

Senate amendments to House bill 10.

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow the free conference committee report on Senate amendments to HB 5 to be placed on second reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Fagg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Vincent in the Chair.

Representative Gould excused at this time.

HB 5 - Representative Moore moved that the free conference committee report on Senate amendments to HB 5 be adopted. Motion carried as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bertelsen, Briggs, Brown, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Marks, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 76

Noes: Brand, Menahan, Pavlovich.
Total 3

Excused: Conn, Daily, Donaldson, Gould, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara, Quilici, Shelden.
Total 12

Absent or not voting: Anderson, Andreason, Bennett, Bergene, Harrington, Keedy, McBride, Teague, Vinger.
Total 9

Representative Gould present at this time.

Representative Fagg moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Vincent moved the adoption of the committee report. Report adopted. (79-2)

MOTIONS

Representative Fagg moved that the rules be temporarily suspended to allow the free conference committee report on HB 5 to be placed on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 5, free conference committee report, adopted as follows:

Ayes: Abrams, Asay, Azzara, Bardanouve, Bengtson, Bennett, Bertelsen, Briggs, Brown, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Hurwitz, Iverson, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Matsko, McLane, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, Phillips, Pistoria, Ramirez, Robbins, Roth, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 79

Noes: Brand, Menahan, Pavlovich.
Total 3

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara, Quilici, Shelden.
Total 11

Absent or not voting: Anderson, Andreason, Bergene, Harrington, Keedy, McBride, Teague.
Total 7

MESSAGES FROM THE OTHER HOUSE

Free conference committee report adopted: 6/26/82

Free conference committee report on HB 5

House bill not concurred in and returned to the House: 6/26/82

House bill 20, introduced by Keedy, Bergene, Anderson, et al.

REPORTS OF STANDING COMMITTEES

BILLS (Spilker, Chairman): 6/28/82
Correctly enrolled: HB 2, HB 5, HB 8, HB 10, HB 11, HB 13, HB 16, HB 17, HB 18, HJR 3.
Signed by the Speaker at 3:20 p.m., 6/28/82: HB 13.
Signed by the Speaker at 3:40 p.m., 6/29/82: HB 2, HB 5, HB 8, HB 10, HB 11, HB 16, HB 17, HB 18, HJR 3.
Delivered to the Governor for his approval at 9:15 a.m., 7/1/82: HB 2, HB 5, HB 8, HB 10, HB 11, HB 13, HB 16, HB 17, HB 18.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks July 6, 1982
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Mr. Speaker:

This is to inform you that I have signed the following measure this date:

House bill 11.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks July 14, 1982
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Mr. Speaker:

This is to inform you that I have signed the following measures this date:

House bills 5, 8, 10, 13, 16, 17, and 18.

Sincerely,

Ted Schwinden
Governor

The Honorable Jean A. Turnage July 15, 1982
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Turnage and Representative Marks:

In exercising the constitutional powers granted me as Governor by Article VI, Section 10(5) of the Constitution of the State of Montana, I hereby veto the following item in House Bill No. 2 (2nd Special Session), "AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF INSTITUTIONS FOR INCREASED CORRECTIONS COSTS FOR FISCAL YEAR 1983; CLARIFYING THE USE OF PAY PLAN FUNDS AND THEREBY PROVIDING A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 1982; AND PROVIDING AN EFFECTIVE DATE" for the reason stated herein and approve the remainder of the bill.

1. Page 2, line 23 through line 6 on page 3 of Reference Copy.
Following: line 22 on page 2
Strike: "SECTION 6. PAY PLAN FUNDS. (1) FUNDS APPROPRIATED IN CHAPTER NO. 421, OF THE SESSION LAWS OF THE 47TH LEGISLATURE FOR INCREASES IN A PAY MATRIX OVER AND ABOVE THE LEVEL OF A PAY MATRIX PROVIDED FOR IN CHAPTER NO. 678 OF THE SESSION LAWS OF THE 46TH LEGISLATURE, MAY BE USED FOR EXPENDITURES THAT ARE RELATED SOLELY TO INCREASES IN A PAY MATRIX AND TRANSFER OF SUCH FUNDS TO EXPENDITURES FOR OPERATING EXPENSES IN OR BETWEEN ANY AGENCY OF STATE GOVERNMENT IS PROHIBITED."

The vetoed language is clearly outside the scope of my "Call to the 47th Legislature For a Special Session" issued on May 25, 1982. The scope of the call was limited to corrections issues existing at Montana State Prison and within the state's adult corrections programs. The vetoed language pertains to pay plan funds appropriated by the 47th Legislature in Chapter No. 421 of the Session Laws and applies to any and all executive, judicial, and legislative branch agencies. The legislature could have exercised

its constitutional authority to resolve itself into special session and properly consider this matter or any other. It chose not to.

Failure to veto Section 6 of House Bill 2 would constitute an unacceptable acquiescence on my part to an unauthorized legislative action.

Respectfully,

Ted Schwinden
Governor

ANNOUNCEMENTS

Representative Fagg moved that the Speaker be authorized to appoint a committee of five to notify His Excellency, the Governor, that the House of Representatives of the Forty-seventh Legislature's Special Session II has completed its business and is ready to adjourn sine die. Motion carried.

The Speaker appointed Representatives Feda, Switzer, Vinger, Shontz, and Jacobsen.

Representative Fagg moved that the Speaker be authorized to appoint a committee of five to notify the Senate that the House of Representatives of the Forty-seventh Legislature's Special Session II has completed its business and is ready to adjourn sine die. Motion carried.

The Speaker appointed Representatives Stobie, Hart, Kessler, Bennett, and Iverson.

Representative Fagg moved that the Speaker be authorized to appoint a committee of five to notify the Chief Justice and Justices of the Montana Supreme Court that the House of Representatives of the Forty-seventh Legislature's Special Session II has completed its business and is ready to adjourn sine die. Motion carried.

The Speaker appointed Representatives Lory, Harp, Seifert, Conroy, and Bardanouve.

Representative Fagg moved that the House of Representatives stand at ease subject to the call of the Chair. Motion carried.

House stood at ease.

House resumed.

The select committee appointed to notify the Senate returned and stated the message had been delivered.

The select committee appointed to notify the Supreme Court returned. They reported that they could not discharge their duties because they searched the entire Capitol and could not find the Supreme Court Justices or the lower clerks.

The select committee appointed to notify the Governor returned and stated the message had been delivered.

Mr. Speaker thanked the committees for their services and discharged them.

Representative Fagg moved that the House publish the journal of the proceedings of Special Session II up through this legislative day. Motion carried.

Representative Fagg moved that a new joint rule of Special Session II be adopted that provides that any bill passed by both houses of the Legislature by this legislative day may be enrolled, clerically corrected by the

presiding officers, signed by the presiding officers, and delivered to the Governor not later than seven days thereafter. All journal entries authorized under this rule as announcements and/or communications will be entered in the journal for this legislative day. Motion carried by the following vote:

Ayes: Abrams, Anderson, Andreason, Asay, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Devlin, Dozier, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hannah, Harp, Harper, Hart, Hemstad, Holliday, Huennekens, Iverson, Jacobsen, Jensen, Kanduch, Kemmis, Kennerly, Kessler, Kitselman, Lory, Manning, Matsko, McBride, McLane, Menahan, Metcalf, Meyer, Moore, Mueller, Neuman, Nilson, Oberg, O'Connell, Pavlovich, Phillips, Pistoria, Ramirez, Robbins, Roush, Ryan, Sales, Schultz, Seifert, Shontz, Sivertsen, Smith, Solberg, Spilker, Stobie, Switzer, Thoft, Underdal, Vincent, Vinger, Waldron, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 79

Noes: None.
Total 0

Excused: Conn, Daily, Donaldson, Hanson, Keyser, Kropp, Manuel, Nordtvedt, O'Hara, Quilici, Shelden.
Total 11

Absent or not voting: Azzara, Bergene, Briggs, Brown, Harrington, Hurwitz, Keedy, Roth, Teague, Wallin.
Total 10

Representative Fagg moved that the House adjourn sine die. Motion carried unanimously.

House adjourned at 8:30 p.m.

Robert L. Marks, Speaker

Don Byrd, Chief Clerk

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